

JOURNAL
OF THE
SENATE
OF THE
STATE OF ALABAMA
FIRST EXTRAORDINARY
SESSION OF 1988

HELD IN THE CITY OF MONTGOMERY, ALABAMA
COMMENCING TUESDAY, AUGUST 30, 1988



Vol. 1

WITH AN INDEX PREPARED BY THE
SECRETARY OF THE SENATE

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**JOURNAL
OF THE
SENATE
OF THE
STATE OF ALABAMA
FIRST EXTRAORDINARY SESSION
OF 1988**

FIRST DAY

TUESDAY, AUGUST 30, 1988

BE IT REMEMBERED, that on the 30th day of August, A.D., 1988, Guy Hunt, Governor of the State of Alabama, issued his proclamation in words and figures as follows, to-wit:

**STATE OF ALABAMA
PROCLAMATION
BY THE GOVERNOR**

WHEREAS, there exists an extraordinary occasion in the State of Alabama, which demands the convening of the Legislature of Alabama, in extraordinary session, as prescribed by Article V, Section 122 of the Constitution of Alabama of 1901.

NOW, THEREFORE, I, Guy Hunt as Governor of the State of Alabama, do hereby proclaim and direct that the Legislature of the State of Alabama shall convene in extraordinary session at the seat of government, Alabama State House, in Montgomery, Alabama at 5 o'clock p.m., on August 30, 1988, and do hereby designate the following subjects and matters, which I, as Governor, deem necessary to be considered and acted upon by said Legislature, in extraordinary session assembled:

1. Legislation to make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, for interest on the public debt, and for capital outlay for the fiscal year ending September 30, 1989.
2. Legislation to make appropriations for the support, maintenance and development of public education in Alabama and for debt service and capital improvements for the fiscal year ending September 30, 1989.
3. Legislation to provide an appropriation for the Sickie Cell Education Program for the fiscal year ending September 30, 1989.
4. Legislation to provide an appropriation for the Coosa-Alabama River Improvement Association for the fiscal year ending September 30, 1989.
5. Legislation to provide an appropriation for the Sylacauga Nurses Training School for the fiscal year ending September 30, 1989.
6. Legislation to provide an appropriation for the Children's and Women's Hospital for the fiscal year ending September 30, 1989.

7. Legislation to provide an appropriation for Marion Military Institute for the fiscal year ending September 30, 1989.

8. Legislation to provide an appropriation for Talladega College for the fiscal year ending September 30, 1989.

9. Legislation to provide appropriations for Tuskegee University for the fiscal year ending September 30, 1989.

10. Legislation to provide an appropriation for Walker County Junior College for the fiscal year ending September 30, 1989.

11. Legislation to provide an appropriation for the Alabama Shakespeare Festival for the fiscal year ending September 30, 1989.

12. Legislation to provide an appropriation for Lyman Ward Military Academy for the fiscal year ending September 30, 1989.

13. Legislation to provide an appropriation for the Southern Research Institute for the fiscal year ending September 30, 1989.

14. Legislation to provide an appropriation for the Alabama Public Library Service for the fiscal year ending September 30, 1989.

15. Legislation to provide an appropriation for the Mental Health School District for the fiscal year ending September 30, 1989.

16. Legislation to provide an appropriation for the Alabama State Council on the Arts for the fiscal year ending September 30, 1989.

17. Legislation to provide an appropriation for Special Schools for the year ending September 30, 1989.

18. Legislation to provide an appropriation for the Governor's School for the year ending September 30, 1989.

19. Legislation to provide for the levy of a tax and the collection and disposition of funds produced thereby on pari-mutuel betting or activities relating thereto, including but not necessarily limited to a ten percent tax on the pari-mutuel pool at racing facilities in the state, and/or privilege or license taxes relating to the same facilities, and, admission and breakage taxes relating to same, pledging and appropriating the funds received for payment of the principal, premium, if any, and interest on all bonds issued by the Alabama Mental Health Finance Authority as authorized by Act 88-475 to the extent necessary.

20. Legislation to amend Sections 40-23-2(4), 40-23-61, 40-23-101 and 40-23-102, Code of Alabama, 1975, which levy sales and use taxes, so as to increase the levy and amend Sections 40-23-35 and 40-23-108 to distribute additional funds generated to the state general fund.

21. Legislation to provide revenue by levying an excise tax on the unlawful sale, distribution, transfer, import, transport, possession, or other use of certain drugs or controlled substances.

22. Legislation to provide for the levy of additional revenues and the collection, disposition, and dedication of funds produced thereby to include but not necessarily be limited to pari-mutuel betting, reduction of exemptions or differences in rates on sales and use taxes, excise tax on unlawful sales or possession of certain drugs, and to set increased or new fees, charges, and assessments for services provided. Said additional revenues shall provide

adequate funding for the general appropriation bill and other appropriations from the state general fund.

23. Legislation to authorize the State Board of Health to designate the services rendered by the state and county health departments for which a reasonable fee may be charged and to set the appropriate fee for each service. No citizen shall be denied any service because that person is indigent.

24. Legislation to amend Sections 9-11-44 and 9-11-53, Code of Alabama, 1975, which provide for game and fish hunting and fishing licenses, so as to increase the license fees, delete an exemption relating to fishing by certain county residents, increase the penalties for violations, and authorize the issuance of licenses on a combination basis.

25. Legislation to authorize compensation increases for employees of the State of Alabama.

26. Legislation to authorize compensation increases for teachers and other educational personnel.

27. Legislation to establish the Education Standards and Accountability Act of 1988.

28. Legislation to provide a procedure for allocation of the "State Ceiling" imposed upon tax-exempt bonds under the provisions of the Internal Revenue Code of 1986, as amended.

29. Legislation to provide for the establishment and operation of the Mental Health School District.

30. Legislation to levy an additional fee on operators of commercial sites for the disposal of hazardous waste received at such commercial sites, including but not limited to an additional fee of \$10.00 per ton, and to provide that said fee be deposited in the state general fund.

31. Legislation to enact the "Alabama Hazardous Substance Cleanup Fund Act of 1988".

32. Legislation that imposes a ban on the development of new commercial hazardous waste treatment or disposal facilities in the State, and a limitation on the volume of hazardous waste which may be deposited at commercial hazardous waste treatment or disposal facilities now located within the state.

33. Legislation that imposes a 24 month moratorium on the construction of new sanitary landfill disposal facilities for solid wastes.

34. Legislation that provides that county commissions and municipalities be given the authority to adopt rules and regulations requiring mandatory public participation in solid waste collection and disposal programs, and penalties for violations of said county or municipal regulations.

35. Legislation to create and provide for the incorporation, organization and operation of the Alabama Water System Assistance Authority.

36. Legislation to enact the "Alabama Drug Trafficking Enterprise Act".

37. Legislation to provide an additional criminal penalty for possessing a firearm during the commission of a criminal offense involving trafficking in illegal drugs.

38. Legislation relating to the Unemployment Compensation Act effective for weeks within benefit years beginning on and after January 1, 1989,

so as to increase maximum weekly unemployment benefits to \$145, and to compute such weekly benefits on the average of the covered wages paid to an individual during the two quarters of his base period in which such wages were highest.

39. Legislation to provide the funding for the enhancement of the employment security programs administered by the Department of Industrial Relations, to make an assessment of 0.06% against the wages paid by certain employers beginning with wages paid on and after January 1, 1989, to reduce the rates of unemployment compensation contributions by the same percentages, and to create a special fund in the state treasury into which said assessments are to be deposited, and to appropriate and authorize the disbursement and expenditures of such revenues.

40. Legislation to propose amendments to the Constitution of Alabama of 1901, to limit consideration of matters other than budgets, appropriations, and revenue bills during certain legislative days of each regular session beginning with the first regular session held after January 1, 1989.

41. Legislation to provide for the establishment of a central voter registration list, maintained by and in the Office of the Secretary of State of Alabama, including, but not limited to information containing the name, address, and place of voting of all citizens registered to vote in the State of Alabama, to require registrars of each county to comply with requests of the Secretary of State for information necessary to insure the accuracy of such list, and to provide penalties for providing false information to the Secretary of State or the County Registrars.

42. Local Legislation.

IN WITNESS WHEREOF, I have hereunto set my hand as Governor of the State of Alabama and caused this Proclamation to be attested by the Secretary of State at the State House, in the City of Montgomery, on this the 30th day of August, 1988.

GUY HUNT,
Governor.

ATTEST:

GLEN BROWDER,
Secretary of State.

Pursuant to such proclamation, at the hour of 5 o'clock P.M. on Tuesday, August 30, 1988, the Senators in the Legislature of Alabama assembled in the Senate Chamber.

The Senate was called to order by the Honorable James E. Folsom, Jr., Lieutenant Governor and President and Presiding Officer of the Senate. McDowell Lee, Secretary, was present and acted as such according to law.

PRAYER

The Session was opened with prayer by the Reverend Jiles Williams, Pastor, New Providence Baptist Church, Montgomery, Alabama.

PLEDGE OF ALLEGIANCE

The Senators were led in the Pledge of Allegiance to the Flag of the United States of America by Nakia Hall, Bellingsrath Junior High School, Montgomery, Alabama.

ROLL CALL

Present:

Senators:	Campbell	Figures	Manley
Amari	Corbett	Foshee	Menton
Bailey	Covington	Goodwin	Mitchem
Barron	deGraffenried	Hale	Parsons
Bedford	Denton	Hand	Preuitt
Bedsole	Dial	Hilliard	Rice
Bennett	Dixon	Holmes	Sanders
Bishop	Drinkard	Horn	Smith (J)
Cabaniss	Ellis	Langford	

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LEAVE OF ABSENCE

On motion of Senator deGraffenried, leave of absence was granted Senator Smith (B) for today.

RESOLUTIONS

Senator deGraffenried offered the following Senate Joint Resolution, to-wit:

S. J. R. 1. COMMITTEE APPOINTED TO NOTIFY GOVERNOR THAT LEGISLATURE IS IN SESSION.

BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, That a committee of three members of the Senate, to be named by the Presiding Officer of the Senate, and three members of the House, to be named by the Speaker of the House, be appointed to notify the Governor that the Legislature is now in session and is ready for the transaction of business.

On motion of Senator deGraffenried, the Rules were suspended and the Resolution was adopted by the Senate.

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate, Senators Hale, Hand, and Bedsole.

Senator deGraffenried then offered the following Senate Joint Resolution, to-wit:

S. J. R. 2. COMMITTEE APPOINTED TO ESCORT GOVERNOR TO JOINT SESSION OF THE LEGISLATURE.

BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, That a joint session of the House and Senate be held at 6:30 P.M. on August 30, 1988, for the purpose of hearing the message of the Honorable Guy Hunt, Governor of Alabama.

AND BE IT FURTHER RESOLVED, That a committee of three from the Senate, to be named by the Presiding Officer of the Senate, and three from the House, to be named by the Speaker of the House, be appointed to wait upon the Governor and advise him for the purpose of receiving his message, and that said committee also serve as a Committee to escort the Governor to the House for the joint session.

On motion of Senator deGraffenried, the Rules were suspended and the Resolution was adopted by the Senate.

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate, Senators Hale, Hand, and Bedsole.

Senator deGraffenried then offered the following Senate Joint Resolution, to-wit:

S. J. R. 3. RELATIVE TO THE PRINTING OF THE ACTS AND JOURNALS.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the acts and journals of this Special Session and any other Special Session in 1988, be bound separately from the Regular Session of 1988.

On motion of Senator deGraffenried, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Rice offered the following Senate Resolution, to-wit:

S. R. 4. COMMENDING COACH PAUL E. DAVIS ON BEING AWARDED AN EXTRAORDINARY COMMENDATION BY THE EAST TENNESSEE CHAPTER OF THE NATIONAL FOOTBALL FOUNDATION.

Which was filed.

Senators deGraffenried, Bedford, Amari, Bailey, Barron, Bedsole, Bennett, Bishop, Cabaniss, Campbell, Corbett, Covington, Denton, Dial, Dixon, Drinkard, Ellis, Figures, Foshee, Goodwin, Hale, Hand, Hilliard, Holmes, Horn, Langford, Manley, Menton, Mitchem, Parsons, Preuitt, Rice, Sanders, Smith (B), and Smith (J) offered the following Senate Joint Resolution, to-wit:

S. J. R. 5. COMMENDING JOAB THOMAS FOR DISTINGUISHED SERVICE TO THE UNIVERSITY OF ALABAMA.

WHEREAS, Dr. Joab Thomas, a native of Holt, Alabama, and a graduate of Harvard University with the bachelor's, master's and doctoral degrees, is a former faculty member and administrator at the University of Alabama for fifteen years; and

WHEREAS, in 1981, Dr. Thomas resigned his position as Chancellor of North Carolina State University to return to Tuscaloosa as the 26th president of the University of Alabama where he has provided forceful leadership resulting in an era of unparalleled change and growth for Alabama's first state university; and

WHEREAS, President Thomas' achievements, since that time, have embraced all aspects of the University and include such significant advancements as a threefold increase in external support for faculty research and the establishment of eleven endowed chairs that have brought internationally known artists and scholars to the University; and

WHEREAS, he also was instrumental in the initiation of a Presidential Scholars recruitment program, the success of which is reflected in last year's entering class of some 150 full scholarship recipients which had an average ACT of 30, a grade point average of 3.8 and included a record 63 new National Merit and Achievement Scholars, more than any other state institution, and a total that ranked UA 25th nationally among all institutions and 11th among all public institutions; and

WHEREAS, among other of his achievements are a continuing increase in enrollment, despite raised admission requirements, to this year's all-time high of 17,000; the implementation of a university-wide core curriculum; a new Honors Program for the academically talented; a \$95-million building program nearing completion; a successful \$62-million capital campaign; full 10-year accreditation granted by the Southern Association of Colleges and Schools in 1985; and international publicity accorded UA's success, through applied research, in preventing the closing of the local Rochester Products Plant; and

WHEREAS, in recognizing these and other accomplishments by President Thomas, we further note his chairmanship of the Board of Directors of the College Football Association, his service on the executive committee of the SEC, and his peer selection as one of the 100 most effective college presidents in the nation; and

WHEREAS, it is therefore with regret that we view President Thomas' resignation as University president, but gratefully anticipate his return, following a year's sabbatical, as professor of biology, his chosen field of endeavor; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That in recognition of distinguished service to the University of Alabama, we hereby commend Dr. Joab Thomas, a native son in whom we are justly proud and to whom a copy of this resolution of highest regard and sincere appreciation shall be presented.

On motion of Senator deGraffenried, the Rules were suspended and the Resolution was adopted by the Senate.

Senators Mitchem and Barron offered the following Senate Joint Resolution, to-wit:

S. J. R. 6. COMMENDING TRUMAN AND BOBBIE McCRELESS GLASSCO FOR OUTSTANDING ACHIEVEMENT AND COMMUNITY SERVICE.

WHEREAS, the Alabama Legislature in commendation and esteem, notes the selection of Truman and Bobbie McCreless Glassco as 1988 Man of the Year and 1988 Woman of the Year, respectively—distinct and individual honors of annual bestowal by the Boaz Chamber of Commerce in recognition of outstanding service and achievement; and

WHEREAS, Bobbie Glassco, who has been employed at Snead State Junior College since 1961 and serves currently as Dean of Instruction, holds the B.S. degree from Jacksonville State University, as well as the M.S. and Ed.D. degrees from Auburn University; and

WHEREAS, in addition to membership and involvement in numerous professional associations, Mrs. Glassco also is active in leadership with many church, civic and other community affairs including several charity fund-raising drives, Marshall County's Project Independence/Target Success, as well as Horton's Bethany Baptist Church which she serves as clerk, pianist and Sunday School teacher, and was publisher of a church history and coauthor of Marshall Missionary Baptist Association—1887-1987; and

WHEREAS, Truman Glassco, now Supervisor of Instruction with the Marshall County School System, is a former public school teacher, counselor and administrator who received his B.S. degree from Jacksonville State

University and his M.Ed. degree and AA Certification from Auburn University; and

WHEREAS, Mr. Glassco also has distinguished himself in community service as past president and current secretary of the Boaz Civitan Club; as a former president and currently as a member of the board of the Boaz Chamber of Commerce; and as deacon, Sunday School teacher, assistant choir director and chairman of the Building Committee of Bethany Baptist Church at Horton; and

WHEREAS, both Mr. and Mrs. Glassco are further involved in activities and leadership of the Alabama State Singing Convention, North Alabama Singing Convention and other organizations devoted to gospel singing, and they have each received a number of honors and accolades including Civitan Man of the Year for Truman Glassco and Boaz Woman of Achievement for Bobbie Glassco, among others; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby most highly commend 1988 Boaz Man of the Year, Truman Glassco, and 1988 Boaz Woman of the Year, Bobbie McCreless Glassco, and do further direct that they receive a copy of this resolution of sincere admiration and esteem.

On motion of Senator Mitchem, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Rice offered the following Senate Joint Resolution, to-wit:

S. J. R. 7. DESIGNATING 1988 AS THE YEAR OF THE CHILD IN ALABAMA.

WHEREAS, The Legislature of the State of Alabama recognizes the importance of the child in Alabama and further recognizes that the future of our great state is dependent on the education, welfare and well being of our children, now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we do especially dedicate this extraordinary session of the Legislature of 1988 to the children of Alabama and that the year of 1988 be known as the Year of the Child in Alabama.

Which was read and referred to the Standing Committee on Rules.

Senator Rice then offered the following Senate Joint Resolution, to-wit:

S. J. R. 8. URGING STATE AGENCIES PROVIDING CHILD DAY CARE SERVICES TO ESTABLISH THAT THEIR CHILD DAY CARE PROGRAMS MEET OR EXCEED THE STATE'S MINIMUM STANDARDS.

WHEREAS, certain initial efforts should be made by state agencies to address the changing and expanding nature of child day care delivery systems in this state; and

WHEREAS, all children served by the child day care providers in this state deserve equal protection and treatment; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby urge all state agencies providing child day care services to establish a plan which assures that their

respective child day care programs meet or exceed Alabama Minimum Standards, which plan should be submitted to the Governor's Child Day Care Resource Coordinator no later than January 1, 1989.

FURTHER RESOLVED, That we hereby request any state agency providing child day care services in programs under their jurisdiction to file an annual report with the Department of Human Resources to certify that these child day care programs meet or exceed Alabama Minimum Standards, and to provide such data as the Department requests in order to compile comprehensive statistics on child day care in Alabama.

RESOLVED FURTHER, That copies of this resolution be sent to the Commissioner of the Department of Human Resources, the Governor's Child Day Care Resource Coordinator, Superintendent of the State Department of Education and the Commissioner of the State Department of Mental Health and Mental Retardation so that they may take the appropriate executive actions to accomplish the requirements of this resolution.

Which was read and referred to the Standing Committee on Rules.

Senator Rice then offered the following Senate Joint Resolution, to-wit:

S. J. R. 9. REQUESTING THAT ADO/ADECA STAFF DESIGNEES WORK WITH THE CHILD DAY CARE COORDINATOR (DHR), THE STATE FINANCE DEPARTMENT, THE STATE TREASURER'S OFFICE, THE OFFICE OF MINORITY BUSINESS AND THE SOUTHERN DEVELOPMENT COUNCIL TO IMPLEMENT LOW-INTEREST LOAN PROGRAMS FOR THE START-UP, EXPANSION AND IMPROVEMENT OF CHILD DAY CARE FACILITIES.

WHEREAS, availability of quality child day care is a problem for many working families; and

WHEREAS, no significant growth in number of licensed day care centers in Alabama has occurred since 1977, even though statistics show that nationally such centers have increased by 72%; and

WHEREAS, the expansion of child day care facilities in this state would be greatly facilitated by the availability of low-interest loan programs; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby request that ADO/ADECA staff designees work with the Child Day Care Coordinator (DHR), the State Finance Department, the State Treasurer's Office, the Office of Minority Business and the Southern Development Council to implement low-interest loan programs for start-up, expansion and improvement of day care facilities.

RESOLVED FURTHER, That a written report concerning implementation of such programs be submitted to the Task Force on Child Day Care no later than January 1, 1989.

FURTHER RESOLVED, That a copy of this resolution be sent to each person and agency herein requested to participate in implementation of this resolution.

Which was read and referred to the Standing Committee on Rules.

Senator Bailey offered the following Senate Joint Resolution, to-wit:

S. J. R. 10. NAMING THE BRIDGE ON STATE HIGHWAY 27, SOUTHWEST OF ABBEVILLE, ALABAMA, THE "CURETON BRIDGE".

WHEREAS, Cureton Bridge was an early Alabama settlement named for the Cureton family that settled there in the early 1820s; and

WHEREAS, the village was located on the East Fort of the Chattahoochee River in the Western part of Henry County and Northeast of what later became the Center Community; and

WHEREAS, William Jackson Cureton (1760-1832), a native of Virginia settled in the area circa 1825 and constructed a private bridge across the Choctawhatchee River, which was the first bridge to be built over this stream; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That in honor of William Jackson Cureton and the Cureton family, we hereby name and designate the bridge that spans the Choctawhatchee River on Alabama Highway 27, Southwest of Abbeville in Henry County, Alabama, the "Cureton Bridge".

BE IT FURTHER RESOLVED, That the proper officials are hereby authorized to erect and maintain appropriate signs and markers so designating said bridge as the "Cureton Bridge".

Which was read and referred to the Standing Committee on Rules.

Senator Bailey then offered the following Senate Joint Resolution, to-wit:

S. J. R. 11. NAMING THE BRIDGE ON STATE HIGHWAY 27, SOUTHWEST OF ABBEVILLE, ALABAMA, THE "CURETON BRIDGE".

WHEREAS, Cureton Bridge was an early Alabama settlement named for the Cureton family that settled there in the early 1820s; and

WHEREAS, the village was located on the East Fort of the Chattahoochee River in the Western part of Henry County and Northeast of what later became the Center Community; and

WHEREAS, William Jackson Cureton (1760-1832), a native of Virginia settled in the area circa 1825 and constructed a private bridge across the Choctawhatchee River, which was the first bridge to be built over this stream; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That in honor of William Jackson Cureton and the Cureton family, we hereby name and designate the bridge that spans the Choctawhatchee River on Alabama Highway 27, Southwest of Abbeville in Henry County, Alabama, the "Cureton Bridge".

BE IT FURTHER RESOLVED, That the proper officials are hereby authorized to erect and maintain appropriate signs and markers so designating said bridge as the "Cureton Bridge".

On motion of Senator Bailey, the Rules were suspended and the Resolution was adopted by the Senate.

Senators Bedsole, Langford, Mitchem, Dixon, Drinkard, Cabaniss, Hilliard, Bennett, Dial, Amari, Goodwin, Smith (J), Figures, Menton, Bedford, Hand,

Hale, Holmes, deGraffenried, Foshee, Campbell, Covington, Rice, Denton, Parsons, Ellis, Horn, Barron, and Bailey offered the following Senate Joint Resolution, to-wit:

S. J. R. 12. COMMENDING FORMER STATE REPRESENTATIVE GARY COOPER OF MOBILE, ALABAMA.

WHEREAS, the Legislature of Alabama, in great personal pride, notes the bestowal of the Legion of Merit upon our friend and former colleague, Gary Cooper of Mobile; and

WHEREAS, Gary Cooper, a Marine Reservist, recently selected for major general; received the award for exceptional meritorious service and demonstrated leadership during his command of the 4th Force Service Support Group; and

WHEREAS, General Cooper, who is a Vietnam veteran and the first black officer ever to lead an infantry company into combat, was discharged from active duty in 1969, having earned a Bronze Star, two Purple Hearts and three Vietnam Crosses of Gallantry; and

WHEREAS, General Cooper, in new assignment as director of manpower and recruiting, Headquarters Marine Corps, Washington, D.C., will head the Corps' recruiting efforts for both regular and reserves forces; and

WHEREAS, Gary Cooper also has greatly achieved in civilian life as a marketing executive with a prominent Mobile-based engineering firm; as a member of the Alabama House of Representatives; and as Commissioner of the Alabama Department of Human Resources; and

WHEREAS, a graduate of Notre Dame University, General Cooper also is the recipient of such other distinctions as Man of the Year, M. O. Beale Scroll of Merit and the Secretary of the Navy Award for Public Service; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we join with our fellow Alabamians in expressing great pride in the accomplishments of Gary Cooper of Mobile, and do further direct that he receive a copy of this resolution.

On motion of Senator Bedsole, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Campbell:

H. J. R. 2. COMMITTEE APPOINTED TO ESCORT GOVERNOR TO JOINT SESSION OF LEGISLATURE.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That a joint session of the House and Senate to be held at 6:30 P.M. on August 30, 1988 for the purpose of hearing the message of the Honorable Guy Hunt, Governor of Alabama.

AND BE IT FURTHER RESOLVED, That a committee of three from the House, to be named by the Speaker of the House, and a committee of

three from the Senate to be named by the Presiding Officer of the Senate, be appointed to wait upon the Governor and advise him that the two Houses will meet in joint session at the hour named above, for the purpose of receiving his message, and that said Committee also serve as a Committee to escort the Governor to the House for the joint session.

And the Speaker appointed as a committee on the part of the House, Reps. White (G), Petelos, and Gaston.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 2, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

REPORT FROM RULES

Senator Drinkard, Chairperson of the Standing Committee on Rules, reported that said committee, in session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 2. COMMITTEE APPOINTED TO ESCORT GOVERNOR TO JOINT SESSION OF LEGISLATURE.

On motion of Senator Drinkard, said Resolution was concurred in and adopted by the Senate.

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate, Senators Hale, Bedsole, and Hand.

MOTION TO ADJOURN

Senator deGraffenried moved that when the Senate adjourns today, it adjourn to meet again on Wednesday, August 31, 1988, at 4 o'clock P.M., which motion was adopted.

INTRODUCTION OF BILLS

Upon the call of districts, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Senators Denton, Cabaniss, Drinkard, Rice, Holmes, deGraffenried, Bennett, Amari, and Foshee:

S. 1. To amend sections 25-4-72, 25-4-73, 25-4-76 and 25-4-77, Code of Alabama 1975, relating to the Unemployment Compensation Act effective for weeks within benefit years beginning on and after January 1, 1989, so as to increase maximum weekly unemployment benefits to \$145, compute such weekly benefits on the average of the covered wages paid to an individual during the two quarters of his base period in which such wages were highest.

Committee on Rules.

By Senator Denton:

S. 2. To amend Sections 22-27-3 and 22-27-6, Code of Alabama 1975, which relate to the authority of local governing bodies as to methods of

waste collections and disposal, and the time for local government compliance with the solid waste laws so as to provide further for the methods of waste collection and disposal facilities for solid wastes; to grant to the several county commissions and municipalities the power and authority by resolution or ordinance to adopt rules and regulations requiring mandatory public participation in solid waste collection and disposal programs; providing that failure to comply with the provisions of the article by the owner of solid waste generating property shall constitute a public nuisance and providing for the assessment for the cost of such collection and disposal against such solid waste generating property; to provide for the collection of such assessments; to provide that the amounts of such assessments shall be a lien on the property against which they are assessed and shall be subject to the same penalties and the same procedure under foreclosure and sale in case of delinquency as provided for ordinary county taxes; and to amend Section 22-27-7, Code of Alabama 1975, which relates to penalties for violation of the provisions of the article so as to further provide for such penalties.

Committee on Rules.

By Senator Denton:

S. 3. To amend further section 36-29-1 of the Code of Alabama 1975, relating to the definition of "employee" under the state employees' health insurance plan, so as to include within the definition any employee who worked at least 10 years for the state highway department in "captive county" circumstances and who was transferred to county employment upon the adoption of article 3A, chapter 1, Title 23, Code of Alabama 1975.

Committee on Rules.

By Senator Denton:

S. 4. To provide for a cost-of-living increase to each pensioner, annuitant and retiree of any retirement plan other than the Employees' Retirement System whose retirement is based upon service to an employer participating in the Employees' Retirement System under Section 36-27-6, Code of Alabama 1975, and whose effective date of retirement is prior to October 1, 1987; to provide for a cost-of-living increase to each pensioner whose retirement is based upon service to an employer participating in the Employees' Retirement System under Section 36-27-6, Code of Alabama 1975, but who retired prior to such employer's participation in said System, and who receives a monthly allowance from the Employees' Retirement System; and to provide that no person shall be entitled to the increased benefits provided in this act unless his employer elects to come under its provisions.

Committee on Rules.

By Senator Denton:

S. 5. Relating to the eradication and control of swine diseases; to make a conditional appropriation to the Department of Agriculture and Industries for the fiscal year ending September 30, 1989, to indemnify owners of swine for the value of any swine ordered condemned and destroyed for the prevention and eradication of the disease of hog cholera, African swine fever and other swine diseases.

Committee on Rules.

By Senator Smith (J):

S. 6. To provide that out-of-court statements made by children under 12 years of age at the time of the proceeding concerning an act that is a

material element of any crime involving child sexual abuse, as defined, not otherwise admissible are admissible in a criminal proceeding in certain circumstances; to specify those circumstances; and to define crimes involving child sexual abuse for purposes of this act.

Committee on Rules.

By Senator Smith (J) (With Notice and Proof):

S. 7. Relating to Madison County, providing a certain county supplement to the salary of each supernumerary circuit clerk in the Twenty-third Judicial Circuit payable from the county treasury.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 7, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,
Secretary.

By Senator Smith (J):

S. 8. To amend section 13A-6-4, Code of Alabama 1975, to provide that criminally negligent homicide is a Class C felony.

Committee on Rules.

By Senator Campbell (With Notice and Proof):

S. 9. Relating to Lawrence County, providing for an advisory referendum election relating to the manner of electing the members of the county commission.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 9, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,
Secretary.

By Senator Campbell (With Notice and Proof):

S. 10. Relating to Morgan County; authorizing and empowering the Morgan County commission and the governing bodies of the incorporated municipalities in such county to regulate and control through the issuance of permits the location of rock quarry blasting operations within the county.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 10, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,
Secretary.

By Senator Campbell (With Notice and Proof):

S. 11. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Decatur, in Morgan County.

Committee on Local Legislation No. 1.

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I hereby certify that the notice and proof is attached to the Bill, S. B. 11, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,
Secretary.

By Senator Campbell (With Notice and Proof):

S. 12. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Hartselle, in Morgan County.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 12, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,
Secretary.

By Senator Campbell (With Notice and Proof):

S. 13. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Hartselle, in Morgan County.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 13, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,
Secretary.

By Senator Hale:

S. 14. To make an appropriation for the support and maintenance of the Special Schools for Special Education for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

Committee on Finance and Taxation.

By Senator Bishop:

S. 15. To make appropriations for the support and maintenance of the Walker County Junior College for the fiscal year ending September 30, 1989.

Committee on Finance and Taxation.

By Senator Bedford:

S. 16. Proposing an amendment to the Constitution of Alabama of 1901 relating to authorizing the creation of a Franklin County Water Coordinating and Fire Prevention Authority by a general or a local act of the Legislature.

Committee on Local Legislation No. 1.

The above Bill was read a first time at length as required by the Constitution.

By Senator Bedford:

S. 17. Proposing an amendment to the Constitution of Alabama of 1901 relating to authorizing the creation of a Lamar County Water Coordinating and Fire Prevention Authority by a general or a local act of the Legislature.

Committee on Local Legislation No. 1.

The above Bill was read a first time at length as required by the Constitution.

By Senator Bedford:

S. 18. Proposing an amendment to the Constitution of Alabama of 1901 relating to authorizing the creation of a Winston County Water Coordinating and Fire Prevention Authority by a general or a local act of the Legislature.

Committee on Local Legislation No. 1.

The above Bill was read a first time at length as required by the Constitution.

By Senator Bedford:

S. 19. Proposing an amendment to the Constitution of Alabama of 1901 relating to authorizing the creation of a Fayette County Water Coordinating and Fire Prevention Authority by a general or a local act of the Legislature.

Committee on Local Legislation No. 1.

The above Bill was read a first time at length as required by the Constitution.

By Senators Bedford, Bennett, Langford, Corbett, Figures, Hale, Drinkard, Menton, Hilliard, Smith (J), Sanders, Barron, Holmes, Dial, Dixon, Covington, Denton, Campbell, Parsons, Bedsole, Bailey, Amari, and Ellis:

S. 20. To impose a ban on the development of new commercial hazardous waste treatment or disposal facilities in the state with certain exceptions; to impose an annual limit on the volume of hazardous wastes which may be disposed of at existing commercial hazardous waste treatment or disposal facilities; to provide for an annual reduction in the yearly volume of disposal at existing facilities; to provide certain definitions; to require certain records to be maintained; and to provide for penalties for violation of the imposed volume limitations.

Committee on Rules.

By Senators Bedford, Corbett, Bennett, Drinkard, Amari, Langford, deGraffenried, Denton, Menton, Hilliard, Parsons, Goodwin, Foshee, Sanders, Campbell, Covington, Figures, Smith (J), Holmes, Dixon, Bailey, and Ellis:

S. 21. To provide further a salary increase for certain state employees and to appropriate funds therefor for the fiscal year ending September 30, 1989.

Committee on Finance and Taxation.

By Senators Bedford, Corbett, Bennett, Langford, Drinkard, Figures, Hilliard, Menton, Smith (J), Barron, deGraffenried, Holmes, Dial, Covington, Foshee, Denton, Campbell, Parsons, Bailey, Sanders, Amari, and Ellis:

S. 22. To provide a seven and one-half percent (7.5%) pay increase for certain public education employees with the beginning of the 1988-89 fiscal

year; to provide a continuing pay increase provision for those teachers who have gained or may gain "continuing service status" or attain five years teaching experience in public schools and institutions; to define "continuing service status" for pay purposes only; to provide a seven and one-half percent (7.5%) increase for full-time personnel on all Salary Schedules in all public two-year colleges; to grant two-year college personnel credit for prior work experience; to prescribe a manner for payment; to establish miscellaneous pay provisions; and to provide an effective date.

Committee on Finance and Taxation.

By Senators Barron, Bedford, Hale, Mitchem, Bennett, Horn, Campbell, Denton, Holmes, Rice, and Langford:

S. 23. To amend Sections 16-25A-5 and 36-29-4, Code of Alabama, 1975, relating to the teachers' and state employees' health insurance plans so as to further provide for prescription drugs.

Committee on Rules.

By Senators Barron, Bedford, Hale, Drinkard, Dial, Bennett, Horn, Hand, deGraffenried, Manley, Mitchem, Denton, Campbell, Holmes, Parsons, Rice, Foshee, Covington, Dixon, and Preuitt:

S. 24. To create and provide for the incorporation, organization and operation of the Alabama water system assistance authority; to prescribe the powers and functions of the said authority as a public corporation; to authorize the authority to make loans or grants to public water systems and to issue bonds; to establish a special "water supply assistance fund"; to provide for a legislative oversight committee to monitor such authority; to provide that the revenues accruing to the Alabama water system assistance authority from bonds issued by such authority shall be deposited in a certain fund to be operated by the Alabama department of economic and community affairs; and to provide for state assistance to and cooperation with community water systems in financing projects that would focus on locating, developing and sustaining adequate potable water supplies for the citizens of this state.

Committee on Rules.

By Senator Bedford (With Notice and Proof):

S. 25. Relating to Franklin County; to provide for additional expense allowances for members of the board of registrars and to provide for its retroactive effect.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 25, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,
Secretary.

By Senators Mitchem and Barron:

S. 26. To establish an asbestos contractor accreditation plan for Alabama in compliance with Title II, Section 206 of the Toxic Substances Control Act of the United States (15 U.S.C.A. §2646); to designate the Safe-State Program, a division of the University of Alabama, as the state agency to administer the plan; to provide the agency certain powers and authority; and to require certain notification and documentation of accreditation of

asbestos contractors to the Alabama Department of Environmental Management.

Committee on Rules.

By Senators Mitchem and Barron:

S. 27. To amend Sections 9-11-53, 9-11-55 and 9-11-56 of the Code of Alabama 1975, relating to fishing licenses, so as to increase the issuance fees for certain fishing licenses.

Committee on Finance and Taxation.

By Senators Mitchem and Barron:

S. 28. To provide for cost-of-living increases in the retirement benefits of retired employees of certain public hospitals and related facilities; to provide that the granting of such increases shall be at the option of the county commission of the county in which such hospital or facility existed and the cost thereof shall be paid by such county.

Committee on Rules.

By Senator Mitchem:

S. 29. To amend Section 9-11-257, Code of Alabama 1975, as last amended, relating to hunting within 100 yards of roads, highways, or railroads without permission from an adjacent landowner, so as to provide that no person, except a duly authorized law enforcement officer acting in the line of duty or person otherwise authorized by law, shall hunt or discharge any firearm from, upon, or across any public road, public highway or railroad, or their rights-of-way, logging railroads excepted; and to provide penalties for the violation thereof.

Committee on Rules.

By Senator Drinkard (With Notice and Proof):

S. 30. Relating to Etowah County; creating the Etowah County Senior Center Finance Authority; providing further for the care and services to certain elderly and disabled individuals; providing for the powers and duties of the members of the authority; providing for the composition and terms of the authority; prescribing the funding for the authority; exempting the authority from any and all local, county or state taxes of whatsoever nature, including gross receipts, sales and ad valorem; authorizing the authority to render services or to contract for services, goods, equipment and space; providing for the payment of the costs of establishing and maintaining multipurpose senior centers; authorizing the authority to issue bonds; and repealing any conflicting laws.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 30, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,
Secretary.

By Senator Drinkard (With Notice and Proof):

S. 31. Relating to Etowah County; providing for the establishment of a consolidated and unified system for assessment and collection of taxes

under the supervision of an elected county official designated as county revenue commissioner; providing for the compensation of such official; abolishing the offices of tax assessor and tax collector; repealing conflicting laws; and providing for a referendum thereon.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 31, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,
Secretary.

By Senator Drinkard:

S. 32. To propose a local constitutional amendment levying additional ad valorem taxes in Etowah County for senior citizen centers and county indebtedness; and to provide for the allocation of such revenues and a tax exemption for senior citizen centers operated in the county, subject to Amendment 425 to the Constitution of 1901.

Committee on Local Legislation No. 1.

The above Bill was read a first time at length as required by the Constitution.

By Senator Drinkard (With Notice and Proof):

S. 33. Providing for the filling of vacancies, for whatever nature, in the public offices in Etowah County; prescribing the election procedure for certain vacancies for more than one year remaining; prescribing the manner of operating any vacant office for an unexpired term of less than a year; and repealing conflicting laws.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 33, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,
Secretary.

By Senators Drinkard, Rice, Foshee, Denton, Goodwin, Campbell, Langford, Bedsole, Dixon, Dial, and Mitchem:

S. 34. To make an appropriation of \$30,000 from the State General Fund to the Coosa-Alabama River Improvement Association for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

Committee on Finance and Taxation.

By Senators Drinkard, Rice, Foshee, Hale, Denton, Horn, Goodwin, Dial, Bedsole, Hand, Bishop, deGraffenried, Cabaniss, Smith (J), Holmes, Amari, Bennett, Campbell, Menton, Langford, and Hilliard:

S. 35. To amend Section 5-13A-2, Code of Alabama 1975, relating to banks and banking, to add the State of Texas to the states within the definition of "region" covered by the Alabama Regional Reciprocal Banking Act of 1986; to provide for severability of the provisions of this Act; to

provide for the amendment of conflicting laws to the extent of such conflict; and to provide an effective date.

Committee on Rules.

By Senator Preuitt (With Notice and Proof):

S. 36. Relating to Talladega County, requiring the inspection of all asphalt plants eligible to bid on the sale of asphalt plant mix to the county or any municipality within the county by the highway department.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 36, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,
Secretary.

By Senator Preuitt:

S. 37. To amend Sections 1 and 2 of Act No. 88-657, S. 300, Regular Session 1988, providing defense and indemnity for employees who may be sued for damages arising out of the performance of their official duties, when such actions were neither intentional or wilful or wanton, and authorizing liability insurance to cover such employees, so as to limit recovery for such damages to the limits prescribed by Section 11-93-2, Code of Alabama 1975, as amended, which provide a cap on the maximum of damages under any such judgment against a government entity; to remove political subdivisions from the act; to limit equipment to motorized equipment; to provide for the intention of clarification of Act No. 88-657, S. 300, Regular Session 1988.

Committee on Rules.

By Senator Preuitt (With Notice and Proof):

S. 38. Relating to Talladega County; to provide for the mailing address of the grantees to appear on all conveyances of real property recorded in the probate office of such county.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 38, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,
Secretary.

By Senator Preuitt:

S. 39. To establish the Department of Corrections Agricultural Revolving Fund, to provide for its initial funding and to provide for its operation.

Committee on Rules.

By Senators Dial, Bennett, Bedford, Hale, Hand, Cabaniss, Ellis, Bedsole, Barron, Rice, and Dixon:

S. 40. To impose a ban on the development of new commercial hazardous waste treatment or disposal facilities in the state with certain exceptions; to impose an annual limit on the volume of hazardous wastes which may be disposed of at existing commercial hazardous waste treatment or

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disposal facilities; to provide for an annual reduction in the yearly volume of disposal at facilities; to provide certain definitions; to require certain records to be maintained; and to provide for penalties for violation of the imposed volume limitations.

Committee on Rules.

By Senators Dial, Bennett, Bedford, Hale, Hand, Dixon, Cabaniss, Bedsole, Ellis, Barron, and Rice:

S. 41. The Director of the Alabama Department of Environmental Management is to prepare a State Solid Waste Management Plan; to submit said Plan to the legislature not later than the fifth legislative day of the 1990 regular session; and to place a moratorium on the issuance of permits for the construction of any new sanitary landfills for 24 months after the effective date of this act.

Committee on Rules.

By Senators Dial, Barron, Denton, Mitchem, and Rice:

S. 42. To amend Section 37-1-47 of the Code of Alabama 1975, relating to Public Service Commission intervention in certain federal proceedings, so as to provide further for participation in federal proceedings by the Public Service Commission.

Committee on Rules.

By Senator Dial:

S. 43. To amend Section 37-4-116 of the Code of Alabama 1975, relating to fees for inspection and supervision of radio utilities, so as to provide further for such fees and to provide for payment on a quarterly basis.

Committee on Rules.

By Senator Dial:

S. 44. To require pipeline facilities transporting hazardous liquids and/or liquified natural gas (LNG) and facilities used in the liquification of natural gas to comply with certain standards of safety; granting certain additional rights, powers and authority to the Alabama Public Service Commission to carry out the purposes of this Act; prescribing jurisdictions of courts for injunction proceedings; and prescribing monetary sanctions for violations of certain standards of safety.

Committee on Rules.

By Senator Dial:

S. 45. To amend Section 37-4-23 of the Code of Alabama 1975, to further provide for the disposition and disbursement of fees collected thereunder.

Committee on Rules.

By Senator Dial:

S. 46. To amend Section 37-2-41 of the Code of Alabama 1975, relating to inspection and supervision fees for transportation companies, so as to provide funds for the regulation and enforcement of pay telephones in the

state owned and/or operated by local exchange companies, interexchange companies, or customer-owned, coin-operated telephone providers.

Committee on Rules.

By Senator Dial (With Notice and Proof):

S. 47. Relating to Chambers County, repealing Act No. 88-277, H. 314, enacted in the Regular Session of 1988, allowing the Chambers County Health Department to set fees for service.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 47, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,
Secretary.

By Senator Holmes:

S. 48. Further providing for service charges of worthless checks for restitution and in the criminal procedure from crimes relating to worthless checks or negotiating a worthless negotiable instrument and notice, so as to increase such charges; amending Section 12-17-224, Code of Alabama 1975, as amended by Act No. 87-565, S. 319, Regular Session 1987, relating to restitution process and service charges for worthless checks; amending Section 13A-9-13.1, Code of Alabama 1975, as amended, relating to the crime of negotiating a worthless negotiable instrument and service charges, and Section 13A-9-13.2, Code of Alabama 1975, as amended, relating to notice of such crime and service charges, so as to increase such service charges.

Committee on Rules.

By Senator Ellis:

S. 49. To authorize advance payments for the expenses of members and employees of local boards of education and to prescribe the methods for such advance expenditures.

Committee on Rules.

By Senator Ellis:

S. 50. To provide further for the revision of eminent domain laws of this state by amending sections 18-1A-24, 18-1A-30, 18-1A-70, 18-1A-74, 18-1A-110, 18-1A-194, 18-1A-211, and 18-1A-276 of the Code of Alabama 1975 to make clarifying amendments to the sections.

Committee on Rules.

By Senator Ellis:

S. 51. To amend §16-8-3 and §16-8-4, Code of Alabama, 1975, relating to the scheduling of regular meetings and annual public meetings of county boards of education.

Committee on Rules.

By Senators Amari, Bedford, and Hale:

S. 52. To amend Section 43-2-502 of the Code of Alabama 1975, relating to the filing of accounts by executors or administrators, so as to provide

that the written evidence in the possession of an executor or administrator on which the executor or administrator relies to sustain the credit side of the account may consist of an affidavit or any other legal evidence, in the discretion of the executor or administrator.

Committee on Rules.

By Senators Amari, Parsons, Bedford, Ellis, and Hale:

S. 53. Authorizing and empowering the state highway department to set speed limits in urban and rural construction zones along state and interstate highways.

Committee on Rules.

By Senators Cabaniss, Hilliard, and Bennett (With Notice and Proof):

S. 54. To authorize the Jefferson County Board of Health to designate services rendered by the health department under its control for which fees may be charged and to establish the appropriate fee for each service; to authorize the Jefferson County Board of Health to charge and collect fees for services designated pursuant to this act; to provide that all fees established and collected pursuant to this act shall be retained and used by the Jefferson County Board of Health; to provide that all fees established and collected pursuant to this act shall not replace, but shall supplement and be in addition to, any and all federal, state and local funds otherwise provided to the Jefferson County Board of Health; to provide conditions applicable to the establishment and modification of fees authorized pursuant to this act; to authorize the Jefferson County Board of Health to adopt and to alter rules and regulations for the implementation and administration of this act and to provide that fees charged pursuant to this act shall be established, modified and collected in accordance with such rules and regulations; to provide that fees for services shall not be charged to persons unable to pay and to provide for confidentiality in the determination of any person's ability to pay; and to repeal all laws or parts of laws in conflict with this act to the extent applicable to Jefferson County.

Committee on Local Legislation No. 2.

I hereby certify that the notice and proof is attached to the Bill, S. B. 54, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,
Secretary.

By Senators Cabaniss, Bennett, Horn, Hilliard, and Parsons:

S. 55. To make an appropriation from the Alabama Special Educational Trust Fund to the Southern Research Institute for the fiscal year 1988-89 for educational purposes, and to require an operations plan and audited financial statement prior to release of any funds.

Committee on Finance and Taxation.

By Senators Cabaniss and Bennett:

S. 56. To make an appropriation for the support and maintenance of the Alabama Governor's School for the fiscal year ending September 30, 1989.

Committee on Finance and Taxation.

By Senators Bennett and Cabaniss:

S. 57. Proposing an amendment to Amendment No. 339 to the Constitution of Alabama of 1901, relating to sessions of the Legislature, so as

to provide for a split annual session with only budgets, appropriations and revenue bills being considered during the first part; and repealing Amendment No. 448 relating to the paramount duty of the Legislature to make basic appropriations at regular sessions.

Committee on Rules.

The above Bill was read a first time at length as required by the Constitution.

By Senators Bennett and Cabaniss:

S. 58. To amend section 29-1-4, Code of Alabama 1975, relating to the time of meeting and length of sessions of the legislature, so as to delete the reference to the length of annual sessions.

Committee on Rules.

By Senator Parsons (With Notice and Proof):

S. 59. Relating to Jefferson County; to continue the office of Assistant Sheriff, Bessemer Division: to prescribe the duties, responsibilities and term; to provide for the appointment, qualifications and compensation of said office; to repeal all conflicting statutes; to provide for severability of the provisions of this act and to prescribe the effective date of such act.

Committee on Local Legislation No. 2.

I hereby certify that the notice and proof is attached to the Bill, S. B. 59, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,
Secretary.

By Senators Horn, Dixon, Drinkard, Dial, Hale, Bennett, Barron, Ellis, Cabaniss, Denton, Bedsole, and deGraffenried:

S. 60. To make an appropriation from the Alabama Special Educational Trust Fund to the Alabama Shakespeare Festival for the fiscal year 1988-89 and to require an operations plan and audited financial statement prior to release of any funds; to require the condition of the donation of certain student tickets; to require the continuation of student discounts; and to require the reversion of funds appropriated upon certain violations of the provisions of this act.

Committee on Finance and Taxation.

By Senator Parsons (With Notice and Proof):

S. 61. Relating to Jefferson County; to prescribe for the compensation of the Chief Deputy Sheriff of Jefferson County and to provide for the payment thereof.

Committee on Local Legislation No. 2.

I hereby certify that the notice and proof is attached to the Bill, S. B. 61, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,
Secretary.

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By Senator Horn:

S. 62. To amend Section 14-1-14 of the Code of Alabama 1975, increasing the Corrections revolving fund to \$40,000.00.

Committee on Finance and Taxation.

By Senator Horn:

S. 63. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, for other functions of government, for interest on the public debt, and for capital outlay for the fiscal year ending September 30, 1989.

Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

I have been directed by the House to advise the Senate that the House is now in session and is ready for the transaction of public business.

JOHN W. PEMBERTON,
Clerk.

RECESS

At 6:25 P.M., Senator deGraffenried moved that the Senate take a recess until 6:30 P.M., at which time the Message of His Excellency, the Governor, will be delivered in Joint Session, and further moved that at the completion of the Joint Session the Senate stand in adjournment, which motion was adopted.

JOINT SESSION

At 6:30 P.M., in accordance with Joint Resolution heretofore adopted, the Senate assembled in the Hall of the House of Representatives for the purpose of hearing the message of His Excellency, the Governor, Honorable Guy Hunt.

The Session was called to order by Lieutenant Governor Folsom, President and Presiding Officer of the Senate. A quorum of the Legislature was present.

Thereupon, the Honorable Guy Hunt was escorted to the chair and delivered his address to the Legislature of Alabama.

ADJOURNMENT

The purpose of the Joint Session having been accomplished, at 7 o'clock P.M., in accordance with motion heretofore adopted, the Senate adjourned until Wednesday, August 31, 1988, at 4 o'clock P.M.

SECOND LEGISLATIVE DAY
WEDNESDAY, AUGUST 31, 1988

The Senate met pursuant to adjournment, Lieutenant Governor Folsom presiding.

PRAYER

The Session was opened with prayer by the Reverend Bill Lyle, Associate Pastor, Trinity Presbyterian Church, Montgomery, Alabama.

PLEDGE OF ALLEGIANCE

The Senators were led in the Pledge of Allegiance to the Flag of the United States of America by Bertram Williams, Bellingrath Junior High School, Montgomery, Alabama.

ROLL CALL

Present:

Senators:	Campbell	Figures	Langford	
Amari	Corbett	Foshee	Manley	
Bailey	Covington	Goodwin	Menton	
Bedford	deGraffenried	Hale	Parsons	
Bedsole	Denton	Hand	Preuitt	
Bennett	Dial	Hilliard	Rice	
Bishop	Dixon	Holmes	Sanders	
Cabaniss	Drinkard	Horn	Smith (J)	—31

JOURNAL

On motion of Senator deGraffenried, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

**REPORT OF COMMITTEE
ON RULES ON
REVISION OF THE JOURNAL**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the First Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

BILL DRINKARD,
Chairperson.

COMMITTEE REPORT

On motion of Senator Drinkard, the foregoing report was concurred in and the Journal of the Senate for the First Legislative Day was approved by the Senate.

LEAVE OF ABSENCE

On motion of Senator deGraffenried, leave of absence was granted Senators Barron, Ellis, Mitchem, and Smith (B) for today.

REPORT FROM RULES

Senator Drinkard, Chairperson of the Standing Committee on Rules, reported that said committee, in session, had acted on the following Senate Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

S. J. R. 10. NAMING THE BRIDGE ON STATE HIGHWAY 27, SOUTHWEST OF ABBEVILLE, ALABAMA, THE "CURETON BRIDGE".

On motion of Senator Bailey, said Resolution was adopted by the Senate.

BILLS RE-REFERRED

Senator Drinkard, Chairperson of the Standing Committee on Rules, reported that said Committee in session, had acted on the following Bill, S. B. 58, and ordered same returned to the Senate with the recommendation that it be re-referred to another Committee.

And the President and Presiding Officer of the Senate ordered said Bill, S. B. 58, re-referred to the Standing Committee on Judiciary.

Senator Drinkard, Chairperson of the Standing Committee on Rules, then reported that said Committee in session, had acted on the following Bill, S.B. 28, and ordered same returned to the Senate with the recommendation that it be re-referred to another Committee.

And the President and Presiding Officer of the Senate ordered said Bill, S. B. 28, re-referred to the Standing Committee on Health.

Senator Drinkard, Chairperson of the Standing Committee on Rules, then reported that said Committee in session, had acted on the following Bill, S.B. 41, and ordered same returned to the Senate with the recommendation that it be re-referred to another Committee.

And the President and Presiding Officer of the Senate ordered said Bill, S. B. 41, re-referred to the Standing Committee on Business and Labor Relations.

Senator Drinkard, Chairperson of the Standing Committee on Rules, then reported that said Committee in session, had acted on the following Bill, S. B. 40, and ordered same returned to the Senate with the recommendation that it be re-referred to another Committee.

And the President and Presiding Officer of the Senate ordered said Bill, S. B. 40, re-referred to the Standing Committee on Business and Labor Relations.

Senator Drinkard, Chairperson of the Standing Committee on Rules, then reported that said Committee in session, had acted on the following Bill, S.B. 26, and ordered same returned to the Senate with the recommendation that it be re-referred to another Committee.

And the President and Presiding Officer of the Senate ordered said Bill, S. B. 26, re-referred to the Standing Committee on Business and Labor Relations.

Senator Drinkard, Chairperson of the Standing Committee on Rules, then reported that said Committee in session, had acted on the following Bill, S.B. 23, and ordered same returned to the Senate with the recommendation that it be re-referred to another Committee.

And the President and Presiding Officer of the Senate ordered said Bill, S. B. 23, re-referred to the Standing Committee on Health.

Senator Drinkard, Chairperson of the Standing Committee on Rules, then reported that said Committee in session, had acted on the following Bill, S.B. 20, and ordered same returned to the Senate with the recommendation that it be re-referred to another Committee.

And the President and Presiding Officer of the Senate ordered said Bill, S. B. 20, re-referred to the Standing Committee on Business and Labor Relations.

RESOLUTIONS

Senators Hand and Goodwin offered the following Senate Joint Resolution, to-wit:

S. J. R. 13. COMMENDING THOMAS B. NORTON OF GULF SHORES, ALABAMA, FOR OUTSTANDING PROFESSIONAL SERVICE AND MUNICIPAL LEADERSHIP.

WHEREAS, a native of Sulligent and currently of Gulf Shores, Alabama, Thomas B. Norton holds an undergraduate degree from the University of Alabama, his medical degree from the University of Tennessee, and received additional postgraduate training at Hillman Hospital in Birmingham; and

WHEREAS, before moving to Gulf Shores in 1971, Dr. Norton and his family resided in York, Alabama, where he practiced as a general surgeon and obstetrician, served as hospital administrator and was a member of the York City Council for eleven years; and

WHEREAS, in Gulf Shores, Dr. Norton practiced medicine on a part-time basis, foregoing surgery and obstetrics, until retiring in 1985 after 42 years; and

WHEREAS, persuaded to run for a seat on the Gulf Shores City Council, Dr. Norton was elected to said office in 1972 and again in 1976; in 1980, he was elected Mayor of Gulf Shores and is now in his second term and is completing eight consecutive years of positive municipal leadership; and

WHEREAS, during Mayor Norton's distinguished tenure, and among other of his accomplishments, a new police station, civic center and fire station have been completed; currently under construction is an adult activity center and a new library, funded in part by the Alabama Public Library Service, that is to be named in honor of Dr. Norton; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That in recognition of his distinguished medical career and in grateful acknowledgement of outstanding municipal leadership for some 27 years, we hereby commend Thomas B. Norton of Gulf Shores, Alabama, whom we hold in warmest personal regard and to whom a copy of this resolution shall be presented.

On motion of Senator Hand, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Dial offered the following Senate Joint Resolution, to-wit:

S. J. R. 14. NAMING THE BASEBALL FIELD AT CLEBURNE COUNTY HIGH SCHOOL IN HEFLIN, ALABAMA, IN HONOR OF ROBERT LUTHER MORTON.

WHEREAS, Robert Luther Morton, a native of Marshall County, Alabama, and a graduate of Jacksonville State University, is a highly decorated combat veteran with two Bronze Stars awarded for meritorious action with the United States Airborne Infantry in Vietnam; and

WHEREAS, in June 1969, following his military service, Mr. Morton embarked upon a career in the educational field as a teacher-coach at Cleburne County High School; and

WHEREAS, he became principal in August 1971, to serve in this capacity for the next 17 years, the longest tenure of any principal at CCHS; and

WHEREAS, Robert L. Morton, who has now been named Assistant Superintendent of Education and Chapter I Coordinator, served the community as a member of the City Council from 1976 until 1980; during which term he was instrumental in obtaining municipal support for a local recreational program that has grown dramatically since that time; and

WHEREAS, Mr. Morton, who played baseball for Jacksonville State, also is credited with organizing little league baseball in the community, as well as other organized sports for area youth; and

WHEREAS, in recognition of Robert Morton's numerous contributions to the community and his outstanding service during the past 17 years of progress for Cleburne County High School, it is highly desirable that his name be perpetuated in an appropriate fashion; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby name and designate the baseball field at Cleburne County High School in Heflin, Alabama, as the "Robert L. Morton Baseball Field."

BE IT FURTHER RESOLVED, That the proper officials are hereby authorized to erect and maintain appropriate signs and markers so designating said baseball field, and that copies of this resolution be forwarded to the Cleburne County Board of Education and to Mr. Robert L. Morton.

On motion of Senator Dial, the Rules were suspended and the Resolution was adopted by the Senate.

Senators Dial, Bennett, Amari, Cabaniss, Hilliard, Horn, Parsons, and Bedford offered the following Senate Joint Resolution, to-wit:

S. J. R. 15. NAMING "FORT S. RALPH TERHUNE," ALABAMA ARMY NATIONAL GUARD ARMORY IN BIRMINGHAM, ALABAMA.

WHEREAS, Samuel Ralph Terhune is a prominent Birmingham area physician who is retired after 40 years in the active practice of orthopedic surgery, and otherwise greatly contributed to the medical field as Assistant Professor of Orthopedic Surgery at the University of Alabama School of Medicine; as Director of the Cerebral Palsy Aid Association of Alabama; and as founder of the first "Bone Bank" in the State of Alabama; and

WHEREAS, Dr. S. Ralph Terhune, also a distinguished military veteran of World War II, was a member of the U. S. Army Reserve and was the driving force behind the activation of the 109th Evacuation Hospital as a unit of the Alabama Army National Guard in Birmingham; and

WHEREAS, he further served as Commander of the 109th Evacuation Hospital from the time of its activation as the first National Guard hospital

unit in the United States until his retirement in 1967, at which time he was appointed a Brigadier General, State Militia, State of Alabama; and

WHEREAS, the home armory of the 109th Evacuation Hospital, along with the 550th and the 650th Dental Detachments, is located at 5300 57th Street North in Birmingham, Alabama, and it is the desire of the members of these three units that this Armory be named in honor of Doctor/Brigadier General S. Ralph Terhune, the "Father of the 109th" and a great servant of the medical profession, the Guard, his community and the entire State of Alabama; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That in tribute to Samuel Ralph Terhune, we hereby name and designate the Alabama National Guard Armory at 5300 57th Street North, Birmingham, Alabama, as "Fort S. Ralph Terhune," and do further authorize the proper officials to erect and maintain appropriate signs and markers so designating said Armory.

BE IT FURTHER RESOLVED, That a copy of this resolution be presented to Dr. Terhune as a memento of this honorary designation of the Alabama Legislature.

On motion of Senator Dial, the Rules were suspended and the Resolution was adopted by the Senate.

Senators Dial, Ellis, Bedford, Cabaniss, Dixon, Barron, Rice, Amari, and Hale offered the following Senate Joint Resolution, to-wit:

S. J. R. 16. COMMENDING THE ALABAMA SYMPHONY ORCHESTRA.

WHEREAS, the Alabama Symphony Orchestra is the official orchestra of the State of Alabama; and

WHEREAS, the Alabama Symphony Orchestra, under the dynamic direction of Maestro Paul Polivnick, has performed throughout the state in recent years, playing before thousands of Alabamians in towns, large and small, where it has achieved acclaim for its superb playing of the finest of classical and "pops" music; and

WHEREAS, The Alabama Symphony Orchestra is gaining a national reputation as one of America's most outstanding regional orchestras; and

WHEREAS, Alabama's official symphony orchestra will perform October 2, 1988, at the Kennedy Center in Washington, D. C.—a signal honor for any symphony orchestra and the first such distinction for the Alabama Symphony Orchestra—where members of the state's Congressional Delegation and others will host ASO musicians, staff and patrons; and

WHEREAS, the visibility attendant upon the honor of playing at the Kennedy Center will inure to the benefit of the state's economic development efforts by demonstrating the quality of one of Alabama's most important cultural assets; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Alabama Symphony Orchestra, the state's official orchestra, be and hereby is commended for its remarkable record of success, which has led to the honor of playing in the nation's capital, and that best wishes be extended to its members and Maestro

Paul Polivnick, as well as to its staff and patrons, as they journey north to Washington, D. C., for the October 2 performance.

BE IT FURTHER RESOLVED, That copies of this resolution be presented in appropriate ceremonies to Maestro Paul Polivnick and members of the Alabama Symphony Orchestra, as well as to members of the ASO Board of Directors, presently being chaired by Birmingham businessman Bill Edmonds.

On motion of Senator Dial, the Rules were suspended and the Resolution was adopted by the Senate.

INTRODUCTION OF BILLS

Upon the call of districts, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Senators Smith (J), Covington, and Parsons:

S. 64. To provide a salary increase for certain state employees and to appropriate funds therefor for the fiscal year ending September 30, 1989.

Committee on Finance and Taxation.

By Senator Smith (J) (With Notice and Proof):

S. 65. Relating to Madison County; to authorize the county commission to designate an official county historian and appropriate an honorarium for same.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 65, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,
Secretary.

By Senator Bedford (With Notice and Proof):

S. 66. Relating to Lamar County, amending Act No. 82-114, H. 522, 1982 Regular Session, which provided for the compensation of certain county officials, so as to increase the compensation of members of the board of registrars.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 66, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,
Secretary.

By Senator Bedford (With Notice and Proof):

S. 67. Relating to Lamar County, amending Act No. 82-114, H. 522, 1982 Regular Session, which provided for the compensation of certain county officials, so as to increase the compensation of members of the board of registrars.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 67, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,
Secretary.

By Senator Bedford:

S. 68. To amend Sections 9-17-1 and 9-17-33, Code of Alabama 1975, relating to oil and gas, so as to provide for a floating rate of interest on undistributed oil and gas revenues, to provide for distribution of royalty on gas produced from natural gas wells completed in reservoir or reservoirs of Paleozoic geologic age, including periodic cash balancing, to establish semi-annual balancing periods, to provide a procedure for such balancing, to require that certain accounting data be furnished and to provide for attorney's fees in certain royalty collection suits.

Committee on Economic Affairs.

By Senator Parsons (With Notice and Proof):

S. 69. To amend Section 22, Act 248 of the Legislature of Alabama of 1945, as amended by Act 562, approved October 9, 1947, as amended by Act 670, approved September 16, 1953, as amended by Act 1600, (General Acts of 1971, page 2754), as amended by Acts 679 and 684, approved May 23, 1977, to further provide for remedies for employees dismissed, demoted or suspended.

Committee on Local Legislation No. 2.

I hereby certify that the notice and proof is attached to the Bill, S. B. 69, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,
Secretary.

By Senator Horn:

S. 70. To make annual appropriations for the support, maintenance and development of public education in Alabama and for debt service and capital improvements for the fiscal year ending September 30, 1989.

Committee on Finance and Taxation.

By Senator Horn:

S. 71. To make an appropriation from the State General Fund and the Alabama Special Educational Trust Fund for the fiscal year 1988-89 for the use of a sickle cell education program.

Committee on Finance and Taxation.

By Senator Horn:

S. 72. To make an appropriation from the State General Fund to the Mallard Fox Creek Port and Industrial Park for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

Committee on Finance and Taxation.

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By Senator Horn:

S. 73. To make an appropriation of \$2,000,000 from the Alabama Special Educational Trust Fund to the Southern Research Institute for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

Committee on Finance and Taxation.

By Senator Horn:

S. 74. To make an appropriation for the support and maintenance of Marion Military Institute for the fiscal year ending September 30, 1989.

Committee on Finance and Taxation.

By Senator Horn:

S. 75. To make a supplemental appropriation of \$1,000,000 from the Alabama Special Educational Trust Fund to the Alabama Commission on Higher Education for the EPSCOR program for the fiscal year ending September 30, 1988.

Committee on Finance and Taxation.

By Senator Horn:

S. 76. To make a supplemental appropriation to the Alabama Real Estate Commission from the Real Estate Commission Fund for capital outlay for the fiscal year ending September 30, 1988.

Committee on Finance and Taxation.

By Senator Horn:

S. 77. To make an appropriation of \$115,000 from the Alabama Special Educational Trust Fund to the League for the Advancement of Education for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

Committee on Finance and Taxation.

By Senator Horn:

S. 78. To make an appropriation of \$100,000 from the State General Fund to America's Junior Miss Pageant, Inc. for the fiscal year ending September 30, 1989.

Committee on Finance and Taxation.

By Senator Horn:

S. 79. To make an appropriation from the State General Fund in the amount of \$30,000 to Coosa-Alabama River Improvement Association for the fiscal year ending September 30, 1989 and to require an operations plan and audited financial statement prior to release of any funds.

Committee on Finance and Taxation.

By Senator Horn:

S. 80. To make an appropriation for the support and maintenance of Talladega College for the fiscal year ending September 30, 1989.

Committee on Finance and Taxation.

By Senator Horn:

S. 81. To make an appropriation from the State General Fund to historical Preservation and Promotion programs for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

Committee on Finance and Taxation.

By Senator Horn:

S. 82. To make an appropriation for the support and maintenance of the Special Schools for Special Education for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

Committee on Finance and Taxation.

By Senator Horn:

S. 83. To make an appropriation from the State General Fund to the Wallace Industrial Air Park for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

Committee on Finance and Taxation.

By Senator Horn:

S. 84. To make an appropriation from the State General Fund in the amount of \$50,000 to the Alabama Mining Museum in Dora, Alabama for the fiscal year ending September 30, 1989 and to require an operations plan and audited financial statement prior to release of any funds.

Committee on Finance and Taxation.

By Senator Horn:

S. 85. To make an appropriation for the support and maintenance of Lyman Ward Military Academy for the fiscal year ending September 30, 1989.

Committee on Finance and Taxation.

By Senator Horn:

S. 86. To make an appropriation for the support and maintenance of Tuskegee University for the fiscal year ending September 30, 1989.

Committee on Finance and Taxation.

By Senator Horn:

S. 87. To make an appropriation for the support and maintenance of Walker County Junior College for the fiscal year ending September 30, 1989.

Committee on Finance and Taxation.

By Senator Horn:

S. 88. To make an appropriation of \$50,000 from the State General Fund to the Southern Museum of Flight for the fiscal year ending September

30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

Committee on Finance and Taxation.

By Senator Horn:

S. 89. To make an appropriation from the Alabama Special Educational Trust Fund to the Childrens Hands on Museum in Tuscaloosa for the fiscal year 1988-89 for educational purposes, and to require an operations plan and audited financial statement prior to release of any funds.

Committee on Finance and Taxation.

By Senator Horn (With Notice and Proof):

S. 90. Relating to the composition of the board of directors of that certain public corporation, the Alabama State Fair Authority, created by Act No. 215, 1947 General Acts of Alabama; amending Section 4 of Act No. 215, S. 278, Regular Session 1947 (General Acts of Alabama of 1947, p. 81), as amended, which relates to the composition of the board of such authorities in certain cities having a certain population in Jefferson County, so as to increase the number and providing the manner of their selection.

Committee on Local Legislation No. 2.

I hereby certify that the notice and proof is attached to the Bill, S. B. 90, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,
Secretary.

By Senator Horn:

S. 91. To make an appropriation for the support and maintenance of Sylacauga Nurses Training School for the fiscal year ending September 30, 1989.

Committee on Finance and Taxation.

By Senator Horn:

S. 92. To make an additional appropriation to the State Treasurer for fiscal year ending September 30, 1988, for salaries and expenses.

Committee on Finance and Taxation.

By Senators Bennett, Rice, Amari, Parsons, Hilliard, and Cabaniss:

S. 93. To make a supplemental appropriation from the Alabama Special Education Trust Fund to the Children's Hospital of Alabama in Birmingham, Alabama, for the fiscal year 1988-89, and to require an operations plan and audited financial statement prior to release of any funds.

Committee on Finance and Taxation.

By Senator Goodwin:

S. 94. To amend section 36-21-9 of the Code of Alabama 1975, which provides for a card authorizing an honorably retired law enforcement officer to carry a handgun so as to change the issuance of the card from an annual to a permanent basis.

Committee on State Development and Tourism.

By Senators Bennett, Bedford, Goodwin, Campbell, and Langford:

S. 95. To amend Sections 17-13-7, 17-16-35, 17-16-36, 17-17-2, 17-19-4, and 17-20-3, Code of Alabama, 1975, relating to the reporting of election results to the secretary of state so as to stipulate that the results will be reported by precincts.

Committee on Governmental Affairs.

By Senator Bennett:

S. 96. Relating to elections held in this state; to require qualified electors to provide an identification card or document to any election official or official poll watcher upon request.

Committee on Governmental Affairs.

By Senator deGraffenried:

S. 97. To provide further for the revision of the guardianship laws of this state by amending Sections 1-106, 1-107, 2-104, 2-309, and 2-313 of the Alabama Uniform Guardianship and Protective Proceedings Act, Act No. 87-590, H. 233, which sections appear respectively as sections 26-2A-6, 26-2A-7, 26-2A-73, 26-2A-138, and 26-2A-142, of the Code of Alabama 1975.

Committee on Judiciary.

By Senator deGraffenried:

S. 98. To amend Section 5-19-4, Code of Alabama 1975, relating to consumer finance, so as to require actuarial method of computation on consumer loans and consumer credit sales with an original term of more than 61 months and to clarify method of refund in all other cases.

Committee on Banking and Insurance.

By Senator deGraffenried:

S. 99. To provide for the establishment of a fund from which survivor allowances for spouses of deceased district or supernumerary district attorneys shall be paid; to provide requirements for eligibility for receipt of such benefits; to provide funding for the proper operations and maintenance of such fund; and to provide for the management of such fund.

Committee on Finance and Taxation.

By Senator deGraffenried:

S. 100. To amend Sections 40-6-1, 40-6-3 and 40-6-4, Code of Alabama 1975, relating to the compensation and benefits paid to supernumerary tax assessors, tax collectors, revenue commissioners, license commissioners or other elected officials charged with the assessment and/or collection of ad valorem taxes, so as to cover appointed ad valorem tax officials and provide for a surviving spouse benefit.

Committee on Finance and Taxation.

By Senator Dixon:

S. 101. To amend sections 1, 2 and 3 of Act No. 88-599, H. 461, 1988 Regular Session (Acts of 1988, p. 929), providing for a cost-of-living increase to certain retirees who retired under the employees' retirement system prior

to October 1, 1987, so as to provide the same increase to those who retire prior to October 1, 1988.

Committee on Finance and Taxation.

By Senator Manley:

S. 102. To provide for the creation of a special reserve account to which the Legislature shall appropriate certain funds to be spent in the event of proration in the Alabama Special Educational Trust Fund budget; to prescribe criteria and procedures for withdrawals from such account in years of proration or in emergency situations as may be determined by the Legislature; to make annual appropriations to such account until a certain amount is established and to provide that such account shall be maintained in trust from year-to-year except during years of proration in the Alabama Special Educational Trust Fund budget and in emergencies; to prescribe procedures and criteria for reimbursement to such account after withdrawals; to provide for the retention of accrued interest; to provide for an effective date; and to repeal conflicting provisions.

Committee on Finance and Taxation.

By Senator Manley:

S. 103. To adopt and incorporate into the Code of Alabama 1975 those general and permanent laws of the state enacted during the 1987 Regular Session of the Legislature, as contained in the 1987 Cumulative Supplement to certain volumes of the Code and in the 1987 Replacement Volumes 7, 7A and 13 of the Code; to make corrections in certain volumes of such cumulative supplement and replacement volume 13; and to reorganize Article 5, Chapter 12, Title 13A, and Chapter 2, Title 20, as appearing in Volumes 12 and 14, respectively, of such cumulative supplement, so as to place the principal drug crime statutes in Title 13A, the Alabama Criminal Code.

Committee on Governmental Affairs.

By Senator Manley:

S. 104. To revise the law on powers contained in mortgages on real estate and to provide: definitions; foreclosure by power of sale; minimum standards for notice of sale; method of conducting foreclosure by power of sale; and successive sales under power permitted. To apply only to mortgages, defined herein, executed on or after the effective date of this Act which is January 1, 1989.

Committee on Judiciary.

By Senator Manley:

S. 105. To amend §1-3-8 of the Code of Alabama 1975, so as to further provide for State holidays in this state; to provide that National Memorial Day shall be a legal holiday in this state and for the celebration of Confederate Memorial Day and Jefferson Davis' birthday on such day; to further provide for the celebration of Mardi Gras in this state; and to provide for personal leave days for State employees in lieu of certain holidays.

Committee on Governmental Affairs.

By Senator Manley:

S. 106. To amend Article 19 of Chapter 4 of Title 10 of the Code of Alabama (1975), as amended, the Revised Alabama Professional Corporation

Act, by amending Sections 10-4-383, 10-4-387, 10-4-389, and 10-4-403 of the Code of Alabama (1975), as amended, to determine the date of disqualification of shareholders; to allow corporations in existence December 31, 1983 in which licensed medical and dental professionals were allowed to be shareholders under Section 10-4-235, Code of Alabama (1975), to continue and to permit licensed medical and dental professionals to be allowed to be shareholders in the same professional corporation; permit professional associations in existence December 31, 1983 to continue to use the name professional associations or the abbreviation P.A.

Committee on Judiciary.

By Senator Manley:

S. 107. To further regulate the advertising by dentists, and the fees of dentists for administering anesthesia intravenous sedation; and to further amend Sections 34-9-19, 34-9-60, 34-9-61, 34-9-63 and 34-9-64, Code of Alabama 1975, as amended, relating to fees and advertising, so as to further provide therefor.

Committee on Health.

By Senator Manley:

S. 108. Relating to the improvement of the quality of the public elementary and secondary education system in the state; to make certain legislative findings; to direct the State Board of Education to appoint a task force for the purpose of establishing specific guidelines and/or minimum performance levels, to establish an accreditation system for all city and county boards of education and all public elementary and secondary schools in the state, to supplement the existing accreditation system established by the State Board of Education, which is based upon the satisfaction of specific guidelines and minimum performance standards established for such purpose by the State Board of Education, including the intervention in the operation of the public schools under the jurisdiction of a city or county board of education which does not meet the guidelines and minimum performance standards; to assess the quality of education in the public schools under the jurisdiction of each city and county board of education and identify specific goals for improving education at the local level, to create for each city and county board of education in the state an assessment team, the members of which shall be appointed by each local board of education, to stipulate that the results of the assessment shall be reported, to provide for such assessment every third year, to authorize the State Board of Education to withhold state allocations to any school system that fails to assess its needs; to require the State Board of Education to establish a goal of increasing the scale score for passing the Alabama High School Graduation Examination; to provide for the development of research-based criteria for evaluation of all professional education personnel, to provide for the validation of the evaluation instrument, to require local boards of education to either use a local evaluation instrument or use the one developed by the State Board of Education; to provide for the design, implementation and monitoring by the State Board of Education of a pilot program to determine the optimum teacher-pupil ratios for promoting academic achievement in the public elementary and secondary schools in the state; to provide that the State Board of Education shall cause colleges and universities to reexamine and upgrade their teacher preparation programs in the state; to provide for the appointment of a task force to develop a comprehensive plan for in-service and professional development for professional personnel, to require consideration of such recommendation by the State Board of Education no later than July 1, 1989;

to provide for the appointment of a task force to develop and propose recommendations for a pilot incentive program for educational improvement; to provide for the adoption of regulations by the State Board of Education requiring minimum periods of instructional time to be devoted to the fundamental areas of reading, English, mathematics, science, history, geography and computer skills, to require the State Board of Education to increase by not less than two the number of required academic courses for graduation with a standard diploma; to require city and county boards of education to adopt policies to ensure a safe school environment; to provide for the development by the State Board of Education, in cooperation with public institutions of higher education in the state and leaders in high technology business and industry, of a long-range plan utilizing the results of a pilot program, for the utilization of advanced technology teaching aids in the public elementary and secondary schools in the state.

Committee on Education.

By Senator Sanders:

S. 109. To make appropriations for the support and maintenance of the Marion Military Institute for the fiscal year ending September 30, 1989.

Committee on Finance and Taxation.

By Senator Rice:

S. 110. To establish the offense of criminal enterprise for the purpose of trafficking in illegal drugs, which shall be known as the "Alabama Drug Trafficking Enterprise Act," and to prescribe punishment.

Committee on Judiciary.

By Senator Langford:

S. 111. To provide for a civil cause of action against certain employers who take action detrimental to certain defined employees because the employee reports a violation of law or participates in a formal inquiry or court action; to provide for damages and injunctive relief; and to provide a statute of limitations.

Committee on Judiciary.

By Senator Bailey:

S. 112. To mandate conversion rights for an employee or a member or his or her dependents under a group policy delivered or issued for delivery in this state which provides hospital, surgical or major medical expense insurance or any combination thereof, when said employee or member dies or when said employee's, member's or a dependent's group insurance has been terminated for any reason except: (a) nonpayment of any required contribution; or (b) replacement of any discontinued group coverage with similar group coverage within 31 days; to prescribe certain minimum benefit levels and the scope of coverage to be contained within the converted policy; to allow for termination of coverage under the converted policy due to an insured becoming eligible for Medicare coverage or coverage under any other group policy or plan; and to allow for optional group coverage in lieu of the issuance of a converted individual policy.

Committee on Banking and Insurance.

By Senators Bedford, Dixon, Bennett, and Dial:

S. 113. To impose a ban on the development of new commercial hazardous waste treatment or disposal facilities in the state with certain exceptions; to impose an annual limit on the volume of hazardous wastes which

may be disposed of at existing commercial hazardous waste treatment or disposal facilities; to provide for an annual reduction in the yearly volume of disposal at existing facilities; to provide certain definitions; to require certain records to be maintained; and to provide for penalties for violation of the imposed volume limitations.

Committee on Business and Labor Relations.

By Senator Figures (With Notice and Proof):

S. 114. Relating to Mobile County; providing for the establishment of a consolidated and unified system of assessment and collection of taxes under the supervision of an elective county official designated as county revenue commissioner upon the expiration of the current terms of office of tax assessor and tax collector; prescribing the powers, duties, and term of office of said county revenue commissioner, and providing for his election; abolishing the county offices of tax assessor and tax collector in Mobile County; repealing conflicting laws; and providing that this act shall become effective only upon the approval of a majority of the qualified electors of Mobile County voting thereon in a referendum election.

Committee on Local Legislation No. 3.

I hereby certify that the notice and proof is attached to the Bill, S. B. 114, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,
Secretary.

By Senator Smith (J) (With Notice and Proof):

S. 115. Relating to Madison County; to exempt from all county, local or municipal ad valorem taxes all property owned and used by the Huntsville Land Trust, Incorporated.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 115, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,
Secretary.

By Senator Bailey:

S. 116. To amend Sections 38-3-1, 38-3-2, 38-3-3, and 38-3-5, Code of Alabama 1975, relating to the Commission on Aging, so as to provide further for the membership, terms of members, duties, responsibilities, functions and personnel of such commission.

Committee on Public Welfare.

By Senator Covington:

S. 117. To amend §37-1-11 of the Code of Alabama 1975, to further provide for the salaries of the president and associate commissioners of the Alabama Public Service Commission.

Committee on Commerce,
Transportation, and Utilities.

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By Senators Dial, Bennett, Rice, Dixon, Hale, and Cabaniss:

S. 118. The Director of the Alabama Department of Environmental Management is to prepare a State Solid Waste Management Plan; to submit said Plan to the legislature not later than the fifth legislative day of the 1990 regular session; and to place a moratorium on the issuance of permits for the construction of any new sanitary landfills for 24 months after the effective date of this act.

Committee on Commerce,
Transportation, and Utilities.

By Senators Dial, Bennett, Rice, Dixon, Cabaniss, and Hale:

S. 119. To impose a ban on the development of new commercial hazardous waste treatment or disposal facilities in the state with certain exceptions; to impose an annual limit on the volume of hazardous wastes which may be disposed of at existing commercial hazardous waste treatment or disposal facilities; to provide for an annual reduction in the yearly volume of disposal at facilities; to provide certain definitions; to require certain records to be maintained; and to provide for penalties for violation of the imposed volume limitations.

Committee on Business and
Labor Relations.

By Senators Menton, Denton, Campbell, and Goodwin:

S. 120. To amend Section 20-2-80, Code of Alabama 1975, to provide an additional criminal penalty for possessing a firearm during the commission of any act proscribed by Section 20-2-80, Code of Alabama 1975.

Committee on Judiciary.

By Senators Foshee, Campbell, Drinkard, Denton, Covington, and Bedford:

S. 121. Proposing an amendment to Amendment No. 448 of the Constitution of Alabama of 1901, as amended, which provides that the paramount duty of the legislature shall be to make basic appropriations at regular sessions so as to provide that the provision shall not take effect until the 16th legislative day of each regular session and it removes the provision allowing the legislature to pass a resolution (B.I.R.) suspending the provisions of this constitutional requirement.

Committee on Judiciary.

The above Bill was read a first time at length as required by the Constitution.

By Senator Figures (With Notice and Proof):

S. 122. Relating to Mobile County; providing for the compensation and payment of salary of members of the county governing body.

Committee on Local Legislation No. 3.

I hereby certify that the notice and proof is attached to the Bill, S. B. 122, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,
Secretary.

By Senator Bedsole:

S. 123. To amend Section 9-2-14, Code of Alabama 1975, as amended, to provide that the Advisory Board of Conservation and Natural Resources will consist of three ex officio members and eleven members appointed by the Governor as follows: one member shall be chosen from each of the Congressional districts in the State, one member shall be an individual whose primary livelihood is dependent upon agriculture, one members shall be an individual whose primary livelihood is dependent upon the forestry industry, one member shall be an individual whose primary livelihood is dependent upon the fishing or seafood industry and one member shall be an individual whose primary livelihood is dependent upon or is involved in wildlife management; to provide that the terms of the present appointive members of the said Board will expire on December 31, 1988; to provide for the terms of the appointive members of the said Board; and to provide an effective date.

Committee on Agriculture,
Conservation, and Forestry.

By Senator Foshee:

S. 124. To provide that investigators for the Office of the Attorney General when duly appointed and designated by the Attorney General to be engaged in investigations related to controlled substances shall have the powers of peace officers, including arrest powers; and to provide that investigators so employed and designated must meet minimum standards requirements.

Committee on Judiciary.

By Senator Hand:

S. 125. To provide for the method of filing applications for allocations of a portion of the "State Ceiling" applicable to tax-exempt bonds; to establish expiration and reversion dates for allocation of "State Ceiling" and conditions subsequent to such allocations; to allocate the entire "State Ceiling" to the State, subject to redistribution by the State Industrial Development Authority; to reserve certain portions of the "State Ceiling" for the use and benefit of Alabama Housing Finance Authority and Alabama Higher Education Loan Corporation; to provide for the allocation of portions of the "State Ceiling" to issuers of small issue bonds for manufacturing facilities and for exempt facility bonds and for the allocation of a portion of the "State Ceiling" at the discretion of the State Industrial Development Authority; to provide a procedure for carryforward allocations; to establish an effective date; to authorize the State Industrial Development Authority to adopt rules and regulations governing the making of allocations; and to designate the president of the State Industrial Development Authority as the State official authorized to make certain certifications required under the Internal Revenue Code of 1986, as amended.

Committee on Governmental Affairs.

By Senators Bennett, Bedford, Dial, Dixon, Hale, Horn, Langford, and Campbell:

S. 126. To amend Section 22-27-5, Code of Alabama 1975, as amended, relating to solid waste disposal fees, permits and bonds, so as to prescribe certain minimum surety bond requirements for out-of-state shippers of house-

hold garbage, in order to protect the health, safety and welfare of the citizens of this state.

Committee on Business and Labor Relations.

By Senators Bennett, Cabaniss, and Parsons (With Notice and Proof):

S. 127. Relating to Jefferson County; to provide for the appointment of a Chief Deputy Tax Collector by the elected Jefferson County Assistant Tax Collector, Bessemer Division, and to provide for compensation, funding and qualifications of said Chief Deputy.

Committee on Local Legislation No. 2.

I hereby certify that the notice and proof is attached to the Bill, S. B. 127, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,
Secretary.

By Senators Bennett, Cabaniss, and Parsons (With Notice and Proof):

S. 128. To provide for the appointment of a chief deputy tax collector by the elected Jefferson County tax collector and to provide for compensation, funding and qualifications of said chief deputy.

Committee on Local Legislation No. 2.

I hereby certify that the notice and proof is attached to the Bill, S. B. 128, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,
Secretary.

By Senator Bennett:

S. 129. To amend Section 34-6-12, Code of Alabama 1975, which prohibits the sale of alcoholic beverages in billiard rooms, so as to delete said prohibition.

Committee on Judiciary.

By Senators Bennett, Bedford, and Dial:

S. 130. To establish the "Alabama Hazardous Substance Cleanup Fund"; to provide that such fund shall be used for the cleanup and restoration of abandoned or inactive sites at which improper disposal of hazardous substances has occurred; to plan and undertake the rehabilitation, removal and cleanup of hazardous substances deposited improperly at sites located within Alabama; to provide that this fund shall be used for sites not qualified for or unlikely to receive funding for cleanup from funds designated for cleanups under the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (42 U.S.C. §§ 9601 et seq.) and to provide state matching funds for cleanups under the Comprehensive Environmental Response, Compensation and Liability Act of 1980; to provide that the fund shall be administered by the Alabama Department of Environmental Management; to direct the Alabama Department of Environmental Management to secure other funds whenever possible.

Committee on Business and Labor Relations.

By Senators Bennett, Cabaniss, Foshee, Denton, Rice, Drinkard, Holmes, Amari, Campbell, Langford, and Bishop:

S. 131. Relating to elections; to establish, operate and maintain a statewide voter file maintenance system as a service to county boards of registrars to assist them in updating their voter lists and to provide that this act shall be supplemental to existing election laws.

Committee on Governmental Affairs.

By Senators Bennett and Dial:

S. 132. To make appropriations from the general fund of the state treasury for the creation of the "Alabama Hazardous Substance Cleanup Fund"; to provide that such fund shall be used for the cleanup and restoration of abandoned or inactive sites at which improper disposal of hazardous substances has occurred; to plan and undertake the rehabilitation, removal and cleanup of hazardous substances deposited improperly at sites located within Alabama; to provide that this fund shall be used for sites not qualified for or unlikely to receive funding for cleanup from funds designated for cleanups under the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. §§9601 et seq.; to provide state matching funds for cleanups under the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended; to provide that the fund shall be administered by the Alabama Department of Environmental Management; to provide that the sites within the state shall be ranked according to their relative threats and the fund applied to the sites in the order of that ranking; to direct the Alabama Department of Environmental Management to secure other funds whenever possible; to provide for future appropriations to the fund; to provide for civil penalties against violators; to limit the maximum penalty; and to provide that said appropriations shall be supplemental to any and all other funds.

Committee on Finance and Taxation.

By Senator Hilliard:

S. 133. To prescribe that certain dealers in marijuana or controlled substances purchase and affix certain tax stamps or other indicia; to authorize the commissioner and department of revenue to administer, issue rules and regulations and implement the provisions of the act; to empower the commissioner and circuit court to issue subpoenas and to provide a hearing and judicial process; to provide criminal penalties, for failure to purchase and affix the proof of excise payment, which are cumulative to any and all other civil or criminal penalties relating to illegal dealers in marijuana or controlled substances; to exempt from the provisions of this act those persons who are in lawful possession of marijuana or controlled substances; and to provide for the disposition of net revenues generated by the provisions of this act.

Committee on Judiciary.

By Senator Hilliard (With Notice and Proof):

S. 134. Relating to Jefferson County; requiring the county commission to make certain office space provisions in the new Jefferson County Sheriff's Headquarters building located at Eighth Avenue and 22nd Street, North, in the City of Birmingham for certain personnel in the sheriff's department.

Committee on Local Legislation No. 2.

I hereby certify that the notice and proof is attached to the Bill, S. B. 134, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,
Secretary.

By Senator Hilliard:

S. 135. To amend the Alabama Trademark Act to include the registrability of business trade names thereby creating an "Alabama Trademark and Trade Name Act" by amending sections 8-12-6, 8-12-7, 8-12-8, 8-12-9, 8-12-14, 8-12-16, and 8-12-17 of the Code of Alabama 1975; to provide for transition of existing trademarks; and to provide for an effective date of January 1, 1989.

Committee on Judiciary.

By Senator Hilliard (With Notice and Proof):

S. 136. To further amend Act 248 of the Regular Session of the Legislature of Alabama of 1945, approved July 6, 1945, (general acts of the Legislature of Alabama, pp. 376-400), as heretofore amended, relating to creating and establishing in counties having a population of 400,000 or more according to the last or any future federal census, a county-wide civil service system, to provide for the creation of the executive exempt service and related matters as described below and hereby adopted as if set out in full herein.

Committee on Local Legislation No. 2.

I hereby certify that the notice and proof is attached to the Bill, S. B. 136, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,
Secretary.

By Senator Hilliard (With Notice and Proof):

S. 137. To amend Act No. 1272 of the Regular Session of the Legislature of Alabama of 1973, approved September 18, 1973, as amended, to provide for the participation of the unclassified employees of the City of Birmingham in the retirement and relief system of the City of Birmingham and to provide for related matters.

Committee on Local Legislation No. 2.

I hereby certify that the notice and proof is attached to the Bill, S. B. 137, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,
Secretary.

By Senator Hilliard (With Notice and Proof):

S. 138. To amend Act No. 929, 1951 Regular Session (General Acts of 1951, p. 1579), as amended by Act No. 1272, 1973 Regular Session (Acts 1973, p. 2124), and as previously and subsequently amended, which created a retirement system for officers and employees in cities of two hundred thousand or more inhabitants according to the latest federal decennial census, so as to provide further for the payments of benefits during periods of re-employment.

Committee on Local Legislation No. 2.

I hereby certify that the notice and proof is attached to the Bill, S. B. 138, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,
Secretary.

By Senator Hilliard (With Notice and Proof):

S. 139. To amend Act No. 453 of the 1967 Regular Session of the Legislature of Alabama, (1967 Acts of Alabama, page 1129), as amended by Act No. 393 of the 1975 Regular Session of the Legislature of Alabama, said acts providing a pension and relief fund for officers and employees of the library board of any city having a population of three hundred thousand or more according to the last and any subsequent federal census, said act applicable to the officers and employees of the Birmingham Public Library System, to provide for the participation of the employees of the library board who are currently entitled to participate in the unclassified pension relief plan of the City of Birmingham to participate in the Birmingham Library Board Employees Pension and Relief Fund and to provide for related matters.

Committee on Local Legislation No. 2.

I hereby certify that the notice and proof is attached to the Bill, S. B. 139, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,
Secretary.

By Senator Hilliard (With Notice and Proof):

S. 140. To amend section 11-52-32 of the Code of Alabama 1975 relating to planning, zoning and subdivisions, so as to provide further for the planning commissions of Class 1 municipalities to elect no less than three and no more than five of the members thereof to serve as a committee to approve or disapprove any plat presented to such commission.

Committee on Local Legislation No. 2.

I hereby certify that the notice and proof is attached to the Bill, S. B. 140, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,
Secretary.

By Senator Hilliard (With Notice and Proof):

S. 141. To further amend Section 6 of Act No. 529 of the Legislature of Alabama of 1923, as codified in Title 62, Section 725, Code of Alabama 1940 (Recompiled 1958) and as amended by Act No. 87-788, to provide an expense allowance for members of the Park and Recreation Board of the City of Birmingham.

Committee on Local Legislation No. 2.

I hereby certify that the notice and proof is attached to the Bill, S. B. 141, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,
Secretary.

By Senator Hilliard (With Notice and Proof):

S. 142. Relating to Jefferson County; to prescribe for the compensation of the Chief Deputy Sheriff of Jefferson County and to provide for the payment thereof.

Committee on Local Legislation No. 2.

I hereby certify that the notice and proof is attached to the Bill, S. B. 142, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,
Secretary.

By Senator deGraffenried:

S. 143. To make an appropriation from the Alabama Special Educational Trust Fund to the Department of Mental Health and Mental Retardation for the fiscal year ending September 30, 1989, for educational purposes.

Committee on Finance and Taxation.

By Senators deGraffenried, Holmes, Rice, Bennett, Denton, Cabaniss, Amari, and Foshee:

S. 144. Relating to employment security programs of the Department of Industrial Relations so as to provide for an assessment of 0.06% against wages paid by certain employers for a three-year period beginning January 1, 1989 and ending December 31, 1991; to provide for the collection, appropriation and disbursement of such assessment, and to provide for the establishment of the "Employment Security Administration Enhancement Fund" in the state treasury; to amend Sections 25-4-31, 25-4-54 and 25-4-143, Code of Alabama 1975, as amended, all relating to the Unemployment Compensation Trust Fund, so as to provide for a reduction of 0.06% in the rates of unemployment compensation contributions of certain employers effective for calendar years beginning on January 1, 1989 and ending on December 31, 1991, to provide for the appropriation of this and other revenue and for the transfer from the clearing account certain moneys into certain separate special funds in the state treasury.

Committee on Finance and Taxation.

By Senators Rice and Bennett:

S. 145. To make an appropriation for the support and maintenance of Camp ASCCA, in Jackson Gap, Alabama for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

Committee on Public Welfare.

By Senator Rice:

S. 146. To establish the "Alabama Hazardous Substance Cleanup Fund"; to provide that such fund shall be used for the cleanup and restoration of abandoned or inactive sites at which improper disposal of hazardous substances has occurred; to plan and undertake the rehabilitation, removal and cleanup of hazardous substances deposited improperly at sites located within Alabama; to provide that this fund shall be used for sites not qualified for or unlikely to receive funding for cleanup from funds designated for cleanups under the federal Comprehensive Environmental Response, Compensation

and Liability Act of 1980 (42 U.S.C. §9601 et seq.) and to provide state matching funds for cleanups under the federal Comprehensive Environmental Response, Compensation and Liability Act of 1980; to provide that the fund shall be administered by the Alabama Department of Environmental Management; to direct the Alabama Department of Environmental Management to secure other funds whenever possible.

Committee on Business and Labor Relations.

By Senator Rice:

S. 147. To amend Section 35-12-32, Code of Alabama 1975, relating to the Alabama Uniform Disposition of Unclaimed Property Act, so as to require that the Revenue Department establish a list of unclaimed property owners to assist individuals or organizations engaged in the practice of seeking, for a fee, the owners of abandoned or unclaimed property reported to the State; to establish the fee which a "finder" may charge an abandoned or unclaimed property owner; to authorize a charge to offset the cost of producing the listing; and to provide for the disposition of revenue received from listing sales.

Committee on Governmental Affairs.

By Senators Rice, Bedford, Mitchem, Campbell, Covington, Preuitt, Barron, Ellis, Cabaniss, Drinkard, Dixon, Bedsole, Foshee, Hale, Amari, deGraffenried, Bailey, Bennett, Horn, Manley, and Parsons:

S. 148. To authorize the State Department of Veterans' Affairs to provide for the operation of a state veterans' home or homes; to provide for the administration of such homes; to authorize the receipt and use of federal and other funds for such purpose; to provide for the powers and duties of the State Board of Veterans' Affairs regarding said veterans' home; to create a veterans' home trust fund; to provide certain admission and discharge policy, to require certain reports and budget requests, to specify reimbursement policy; and to provide that certain certification requirements are met.

Committee on Public Welfare.

By Senators Rice, Bedford, Mitchem, Campbell, Covington, Preuitt, Barron, Ellis, Cabaniss, Drinkard, Dixon, Bedsole, Foshee, Hale, Amari, deGraffenried, Bailey, Hilliard, Bennett, Horn, Manley, and Parsons:

S. 149. To provide for a voluntary check-off designation on state income tax returns for the 1988 tax year and each year thereafter for the Alabama Veterans' Nursing Home Program; to provide the form for such designation; to provide for the crediting to the Department of Veterans' Affairs of the total amount designated for nursing home and health care services for aged and disabled veterans in Alabama; and to provide for an effective date.

Committee on Public Welfare.

By Senator Rice:

S. 150. To amend sections 16-33B-1, 16-33B-3 and 16-33B-4, Code of Alabama 1975, relating to the Alabama guaranteed student loan program, so as to define approved lender, student loan, Federal Student Loan Law and eligible institution; to provide program administration in accordance with the Federal Student Loan Law; to provide for basic powers and duties of

the Alabama Commission on Higher Education in accordance with the Federal Student Loan Law; to promote the availability of the Alabama guaranteed student loan program; and to service loans.

Committee on Public Welfare.

By Senator Rice:

S. 151. To amend Sections 16-6A-12 and 16-6A-13, Code of Alabama 1975, which provide for the Educational Reform Act of 1984, so as to provide further for eligibility for and repayment of scholarship loans for teacher education programs in critical needs areas.

Committee on Education.

By Senator Rice:

S. 152. To amend Section 32-6-61, Code of Alabama 1975, which provides for the issuance of license plates, so as to provide that the special license tag or license plate fees provided by Section 32-6-150(a), Code of Alabama 1975, shall not be prorated, but shall be paid on an annual basis.

Committee on Finance and Taxation.

By Senator Rice:

S. 153. To provide that it is unlawful to use a firearm or archery tackle in a criminally negligent manner related to hunting; to provide for three degrees of such negligence; to provide for fines and imprisonment as punishment, without suspension of sentence; to provide for the forfeiture and suspension of hunting licenses; to provide for penalties for hunting during the time of such suspension; to provide for completion of a hunter safety program prior to obtaining a subsequent hunting license; and to provide that monetary penalties shall be remitted to the Alabama crime victims compensation commission for restitution, so as to compensate the victim or dependents of the victim of such criminally negligent act related to hunting.

Committee on Agriculture,
Conservation, and Forestry.

By Senator Rice:

S. 154. To authorize the department of human resources to remove certain items of fully depreciated state property which have little or no resale or reuse value to the state from state property inventory by transferring title and ownership of same to purchase of service contractors who will continue to utilize those items in providing needed services to clients of the department of human resources.

Committee on Public Welfare.

By Senator Rice:

S. 155. To further amend section 38-7-3, Code of Alabama 1975, relating to child day care centers which are exempt from regulation by the Department of Human Resources, so as to require those exempted child day care programs be required to submit to the Department of Human Resources written verification of compliance with fire and health regulations, applicable to child day care centers, and that the Department of Human Resources be required to retain such verification on file.

Committee on Public Welfare.

By Senator Rice:

S. 156. To make an appropriation to the Alabama Public Library Service for the fiscal year ending September 30, 1989, for educational purposes.

Committee on Finance and Taxation.

By Senator Rice:

S. 157. To amend Section 40-12-252, Code of Alabama 1975, relating to the annual license taxes and registration for certain trailers, so as to provide an option of five-year registration for truck trailers, tractor trailers or semitrailers.

Committee on Governmental Affairs.

By Senator Rice:

S. 158. Relating to persons who are required to register with the U. S. Selective Service System, so as to provide that such persons may not enroll in institutions of higher learning nor be offered employment or advancement or promotion by the State of Alabama unless such persons offer proof that they have so registered, and to authorize the State Personnel Board and the institutions of higher learning to promulgate necessary rules and regulations.

Committee on Judiciary.

By Senator Rice:

S. 159. To make appropriations for the support and maintenance of the Lyman Ward Military Academy for the fiscal year ending September 30, 1989.

Committee on Finance and Taxation.

By Senator Manley (With Notice and Proof):

S. 160. Relating to Marengo County; to create a license-issuing division within the probate judge's office for the issuance of certain licenses; to provide for the selection of personnel for such license-issuing division; to provide certain duties for the division; to provide for an optional procedure for the renewal of motor vehicle licenses in the county by mail; to authorize certain postal cost reimbursement plus a fee not to exceed \$1.00 pursuant to such system of renewal of motor vehicle licenses by mail; to prescribe more convenient and efficient procedures for assessing and collecting of certain taxes; the issuance of licenses by the probate judge's office; and to transfer certain duties now performed by the revenue commissioner to said probate office.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 160, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,
Secretary.

By Senator Manley:

S. 161. To require county governing bodies to establish precincts, wards and voting districts based on clearly visible, definable and observable physical boundaries based on U. S. Census Bureau criteria not later than March 15,

1989; to provide for participation by Alabama in programs of the Census Bureau for census data for purposes of reapportionment; to define terms; to require the counties to provide and maintain maps of said precincts, wards and voting districts to the probate judge, board of registrars and the secretary of state; to provide for the maximum number of voters in voting districts; to provide for the designation of places of voting; to require the certification of lists of eligible voters by the probate judge; to provide for boxes and machines for elections; to provide for the posting of boundaries of precincts, wards or voting places and for the changing of precinct, ward and voting district boundaries and changes in places of voting; to provide for the enforcement of this act; to provide that the Reapportionment Task Force shall be the official state liaison between the state, the counties and the U. S. Census Bureau for purposes of implementing the provisions of this act; to require cooperation by all county, municipal and state agencies and officials with the Reapportionment Task Force; and to specifically supersede and repeal Sections 17-5-1 through 17-5-13, Code of Alabama 1975, effective March 15, 1989.

Committee on Governmental Affairs.

By Senator Sanders (With Notice and Proof):

S. 162. Relating to the City of Eutaw in Greene County; to alter, rearrange and extend the boundary lines and corporate limits of the municipality of Eutaw.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 162, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,
Secretary.

By Senator Sanders:

S. 163. To make appropriations for the support and maintenance of the Marion Military Institute for the fiscal year ending September 30, 1989.

Committee on Finance and Taxation.

By Senator Sanders (With Notice and Proof):

S. 164. Relating to the City of Eutaw in Greene County; to alter, rearrange and extend the boundary lines and corporate limits of the municipality of Eutaw.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 164, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,
Secretary.

By Senator Langford:

S. 165. To amend Sections 34-33-1, 34-33-2, 34-33-3, 34-33-4, 34-33-5, 34-33-6 and 34-33-10 of the Code of Alabama 1975, relating to fire protection sprinkler systems, so as to redefine such systems and to further regulate the fire protection sprinkler system business in this state.

Committee on Small Business.

By Senator Covington:

S. 166. Relating to the further regulation of liquefied petroleum gas and the powers, duties and authority of the Liquefied Petroleum Gas Board; to amend Sections 9-17-100, 9-17-102, 9-17-104, 9-17-106, 9-17-107, 9-17-108 and 9-17-109 of the Code of Alabama 1975, as amended; to amend Sections 9-17-101 and 9-17-105 of the Code of Alabama 1975, as amended by Act No. 88-142 of the 1988 Regular Session; and to provide for administrative remedies with rights to appeal for correcting noncompliance with law and with regulations of the Liquefied Petroleum Gas Board.

Committee on Natural Resources.

By Senator Corbett:

S. 167. To regulate nonsewered toilet systems and require the provision of toilets or nonsewered toilet systems at certain work sites and special events; to provide a short title; to provide for a statement of intent; to provide for findings; to provide for definitions; to provide requirements for the operation of a nonsewered toilet service; to provide for licenses and fees; to provide for storage and maintenance of equipment and areas therefor; to provide for inspections; to provide for permits; to provide requirements for the provision of sewerred or nonsewerred toilets; to provide standards for the location, construction, operation, servicing, and maintenance of nonsewerred toilets; to provide for disposal of waste; to provide for enforcement; to provide for rules and regulations; to provide for penalties; and to repeal conflicting laws.

Committee on Governmental Affairs.

By Senator Corbett:

S. 168. Relating to the Alabama Sunset Law; to continue the existence and functioning of the board of heating and air conditioning contractors as provided in Sections 34-31-18 through 34-31-34, Code of Alabama 1975, with certain modifications; to amend Sections 34-31-18, 34-31-19, 34-31-21(g), 34-31-24, 34-31-28 and 34-31-31, Code of Alabama 1975, so as to: distinguish the function of install from service and repair; to delete all references to "registered" contractors; to correct an erroneous code subsection reference; and to provide further for the exemption period for taking examinations of the board for certain contractors having at least two years of experience (grandfather clause).

Committee on Governmental Affairs.

By Senator Corbett:

S. 169. To make an appropriation from the Alabama Special Educational Trust Fund for the support and maintenance of Tuskegee Institute (Tuskegee University) for the state fiscal year ending September 30, 1989.

Committee on Finance and Taxation.

By Senator Corbett:

S. 170. To provide for the regulation of the practice of occupational therapy; to provide for a short title, a declaration of purpose and definitions in regard to regulation; to provide for the establishment of the Alabama State Board of Occupational Therapy, its terms of office, vacancies, and removal of members; to provide for meetings of the board; to provide for

compensation for members of the board; to provide for administrative provisions and powers and duties of the board; to provide requirements for licenses to practice, qualifications of applicants, examination as a requirement for licensure, waiver of requirements, and persons and practices not affected by this act; to provide for service of process and official records for prima facie evidence; to provide for issuance of a license and cause for suspension, revocation and renewal of license; to provide for fees; to provide for crimes and criminal penalties for violations of this act; to provide for appeal or review; to provide for severability; to provide for an effective date; and to provide for other matters relative to the foregoing.

Committee on Health.

By Senator Bailey:

S. 171. To amend Section 26-16-5, Code of Alabama 1975, relating to meetings of the Child Abuse and Neglect Prevention Board, so as to delete two mandated meeting dates of such Board.

Committee on Health.

By Senator Goodwin:

S. 172. To amend Section 36-22-16 of the Code of Alabama 1975, so as to provide for the compensation of the sheriffs of the several counties in this state.

Committee on State Development
and Tourism.

By Senator Langford:

S. 173. To provide that any member of the teachers' or employees' retirement system of Alabama not presently covered by a provision to convert unused sick leave into membership service for purposes of service retirement may do so under the provisions of Section 36-26-36.1, Code of Alabama 1975, as amended, provided that no employee of an employer participating pursuant to Section 36-27-6, Code of Alabama 1975, as amended, which section provides for county, city, towns and other employers, shall be entitled to the benefits provided in this act unless such employer elects to come under the provisions of said act.

Committee on Governmental Affairs.

By Senator Manley (With Notice and Proof):

S. 174. To authorize the Choctaw County Board of Health to designate the services rendered by the County Health Department for which a reasonable fee may be charged and to set the appropriate fee for each service. No citizen shall be denied any service because of that person's inability to pay.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 174, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,
Secretary.

By Senator Langford:

S. 175. To require pipeline facilities transporting hazardous liquids and/or liquified natural gas (LNG) and facilities used in the liquification of natural gas to comply with certain standards of safety; granting certain additional rights, powers and authority to the Alabama Public Service Commission to carry out the purposes of this Act; prescribing jurisdictions of courts for injunction proceedings; and prescribing monetary sanctions for violations of certain standards of safety.

Committee on Natural Resources.

By Senator Figures:

S. 176. To amend Section 40-9-1, Code of Alabama 1975, which provides for exemptions from ad valorem taxes, so as to exempt property owned by the Disabled American Veterans.

Committee on Finance and Taxation.

By Senators Figures and Bedford:

S. 177. To prohibit any state or county inmate from being employed by any district attorney, judge, or sheriff, or any parent, sibling, or child of any district attorney, judge, or sheriff, or for any business one-third or more of which is owned by any district attorney, judge, or sheriff, or any parent, sibling, or child of any district attorney, judge, or sheriff; and to provide a penalty.

Committee on Governmental Affairs.

By Senators Figures and Bedford:

S. 178. To provide that the Judicial Inquiry Commission's investigative and litigation costs shall be paid out of the funds appropriated annually to the court costs fund or funds; and to provide for repayment of any refunded or recaptured amounts to the court cost fund or general fund.

Committee on Governmental Affairs.

By Senators Figures and Bedford:

S. 179. To create the "Alabama Fair Business Act of 1988"; to further regulate trade, commerce and industry in order to prevent deceptive or illicit business practices, consumer fraud, false or bait advertising and those practices prohibited by the Federal Trade Commission Act (15 U.S.C., Section 45 (a)(1), as amended); to provide that all laws or parts of existing laws relating to the aforementioned areas of regulation of trade, commerce and industry and business practices shall be construed in pari materia with the provisions of this act, except that those laws or parts of laws in direct conflict herewith are superseded by this act; to provide for the State Attorney General and the Division of Consumer Protection within the office of Attorney General to have certain duties, powers and authority to promulgate, implement and enforce the provisions of this act; to prescribe certain felony and misdemeanor penalties for certain unlawful acts and violating the provisions of this act; to prescribe certain civil procedures and an effective date.

Committee on Economic Affairs.

By Senator Hand (With Notice and Proof):

S. 180. Relating to Baldwin County; to prohibit the placing of signs, markers and advertising, pertaining to political campaigns, on state and

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county controlled highways except for those signs or markers placed by or under the authority of the state or county.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 180, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,
Secretary.

By Senator Hand (With Notice and Proof):

S. 181. Relating to Baldwin County; providing further for the compensation of poll workers.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 181, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,
Secretary.

By Senator Hand (With Notice and Proof):

S. 182. Relating to Baldwin County; repealing Act No. 88-381, H. 969, 1988 Regular Session (Acts 1988, p. 569) which increased court costs and provided for the disposition of the proceeds from the increase.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 182, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,
Secretary.

By Senator Foshee:

S. 183. To provide for the establishment and operation of an Alabama Chiropractors' Hall of Fame Board, and to prescribe its powers and duties.

Committee on State Development
and Tourism.

By Senator Bedsole:

S. 184. To make an appropriation to the Alabama State Council on the Arts for the fiscal year ending September 30, 1989, for educational purposes.

Committee on Finance and Taxation.

By Senator Bedsole:

S. 185. To make an appropriation from the Alabama Special Educational Trust Fund in the amount of \$400,000 to the Children's and Women's Hospital for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

Committee on Finance and Taxation.

REPORTS OF COMMITTEES

Senator Drinkard, Chairperson of the Standing Committee on Rules, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senators Denton, Cabaniss, Drinkard, Rice, Holmes, deGraffenried, Bennett, Amari, and Foshee:

S. 1. To amend sections 25-4-72, 25-4-73, 25-4-76 and 25-4-77, Code of Alabama 1975, relating to the Unemployment Compensation Act effective for weeks within benefit years beginning on and after January 1, 1989, so as to increase maximum weekly unemployment benefits to \$145, compute such weekly benefits on the average of the covered wages paid to any individual during the two quarters of his base period in which such wages were highest.

By Senator Denton:

S. 2. To amend Sections 22-27-3 and 22-27-6, Code of Alabama 1975, which relate to the authority of local governing bodies as to methods of waste collections and disposal, and the time for local government compliance with the solid waste laws so as to provide further for the methods of waste collection and disposal facilities for solid wastes; to grant to the several county commissions and municipalities the power and authority by resolution or ordinance to adopt rules and regulations requiring mandatory public participation in solid waste collection and disposal programs; providing that failure to comply with the provisions of the article by the owner of solid waste generating property shall constitute a public nuisance and providing for the assessment for the cost of such collection and disposal against such solid waste generating property; to provide for the collection of such assessments; to provide that the amounts of such assessments shall be a lien on the property against which they are assessed and shall be subject to the same penalties and the same procedure under foreclosure and sale in case of delinquency as provided for ordinary county taxes; and to amend Section 22-27-7, Code of Alabama 1975, which relates to penalties for violation of the provisions of the article so as to further provide for such penalties.

By Senators Barron, Bedford, Hale, Drinkard, Dial, Bennett, Horn, Hand, deGraffenried, Manley, Mitchem, Denton, Campbell, Holmes, Parsons, Rice, Foshee, Covington, Dixon, and Preuit:

S. 24. To create and provide for the incorporation, organization and operation of the Alabama water system assistance authority; to prescribe the powers and functions of the said authority as a public corporation; to authorize the authority to make loans or grants to public water systems and to issue bonds; to establish a special "water supply assistance fund"; to provide for a legislative oversight committee to monitor such authority; to provide that the revenues accruing to the Alabama water system assistance authority from bonds issued by such authority shall be deposited in a certain fund to be operated by the Alabama department of economic and community affairs; and to provide for state assistance to and cooperation with community water systems in financing projects that would focus on locating, developing and sustaining adequate potable water supplies for the citizens of this state.

By Senators Bennett and Cabaniss:

S. 57. Proposing an amendment to Amendment No. 339 to the Constitution of Alabama of 1901, relating to sessions of the Legislature, so as

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to provide for a split annual session with only budgets, appropriations and revenue bills being considered during the first part; and repealing Amendment No. 448 relating to the paramount duty of the Legislature to make basic appropriations at regular sessions.

The above Bill was read a second time at length as required by the Constitution.

By Senators Drinkard, Rice, Foshee, Hale, Denton, Horn, Goodwin, Dial, Bedsole, Hand, Bishop, deGraffenried, Cabaniss, Smith (J), Holmes, Amari, Bennett, Campbell, Menton, Langford, and Hilliard:

S. 35. To amend Section 5-13A-2, Code of Alabama 1975, relating to banks and banking, to add the State of Texas to the states within the definition of "region" covered by the Alabama Regional Reciprocal Banking Act of 1986; to provide for severability of the provisions of this Act; to provide for the amendment of conflicting laws to the extent of such conflict; and to provide an effective date.

By Senators Dial, Barron, Denton, Mitchem, and Rice:

S. 42. To amend Section 37-1-47 of the Code of Alabama 1975, relating to Public Service Commission intervention in certain federal proceedings, so as to provide further for participation in federal proceedings by the Public Service Commission.

By Senator Holmes:

S. 48. Further providing for service charges of worthless checks for restitution and in the criminal procedure from crimes relating to worthless checks or negotiating a worthless negotiable instrument and notice, so as to increase such charges; amending Section 12-17-224, Code of Alabama 1975, as amended by Act No. 87-565, S. 319, Regular Session 1987, relating to restitution process and service charges for worthless checks; amending Section 13A-9-13.1, Code of Alabama 1975, as amended, relating to the crime of negotiating a worthless negotiable instrument and service charges, and Section 13A-9-13.2, Code of Alabama 1975, as amended, relating to notice of such crime and service charges, so as to increase such service charges.

By Senator Denton:

S. 3. To amend further section 36-29-1 of the Code of Alabama 1975, relating to the definition of "employee" under the state employees' health insurance plan, so as to include within the definition any employee who worked at least 10 years for the state highway department in "captive county" circumstances and who was transferred to county employment upon the adoption of article 3A, chapter 1, Title 23, Code of Alabama 1975.

By Senator Denton:

S. 4. To provide for a cost-of-living increase to each pensioner, annuitant and retiree of any retirement plan other than the Employees' Retirement System whose retirement is based upon service to an employer participating in the Employees' Retirement System under Section 36-27-6, Code of Alabama 1975, and whose effective date of retirement is prior to October 1, 1987; to provide for a cost-of-living increase to each pensioner whose retirement is based upon service to an employer participating in the Employees' Retirement System under Section 36-27-6, Code of Alabama 1975, but who retired prior to such employer's participation in said System, and who receives a monthly allowance from the Employees' Retirement

System; and to provide that no person shall be entitled to the increased benefits provided in this act unless his employer elects to come under its provisions.

By Senator Smith (J):

S. 6. To provide that out-of-court statements made by children under 12 years of age at the time of the proceeding concerning an act that is a material element of any crime involving child sexual abuse, as defined, not otherwise admissible are admissible in a criminal proceeding in certain circumstances; to specify those circumstances; and to define crimes involving child sexual abuse for purposes of this act.

By Senator Denton:

S. 5. Relating to the eradication and control of swine diseases; to make a conditional appropriation to the Department of Agriculture and Industries for the fiscal year ending September 30, 1989, to indemnify owners of swine for the value of any swine ordered condemned and destroyed for the prevention and eradication of the disease of hog cholera, African swine fever and other swine diseases.

By Senator Ellis:

S. 49. To authorize advance payments for the expenses of members and employees of local boards of education and to prescribe the methods for such advance expenditures.

By Senator Ellis:

S. 51. To amend §16-8-3 and §16-8-4, Code of Alabama, 1975, relating to the scheduling of regular meetings and annual public meetings of county boards of education.

By Senators Amari, Bedford, and Hale:

S. 52. To amend Section 43-2-502 of the Code of Alabama 1975, relating to the filing of accounts by executors or administrators, so as to provide that the written evidence in the possession of an executor or administrator on which the executor or administrator relies to sustain the credit side of the account may consist of an affidavit or any other legal evidence, in the discretion of the executor or administrator.

By Senator Mitchem:

S. 29. To amend Section 9-11-257, Code of Alabama 1975, as last amended, relating to hunting within 100 yards of roads, highways, or railroads without permission from an adjacent landowner, so as to provide that no person, except a duly authorized law enforcement officer acting in the line of duty or person otherwise authorized by law, shall hunt or discharge any firearm from, upon, or across any public road, public highway or railroad, or their rights-of-way, logging railroads excepted; and to provide penalties for the violation thereof.

By Senator Preuitt:

S. 37. To amend Sections 1 and 2 of Act No. 88-657, S. 300, Regular Session 1988, providing defense and indemnity for employees who may be sued for damages arising out of the performance of their official duties, when such actions were neither intentional or wilful or wanton, and authorizing liability insurance to cover such employees, so as to limit recovery for such

damages to the limits prescribed by Section 11-93-2, Code of Alabama 1975, as amended, which provide a cap on the maximum of damages under any such judgment against a government entity; to remove political subdivisions from the act; to limit equipment to motorized equipment; to provide for the intention of clarification of Act No. 88-657, S. 300, Regular Session 1988.

By Senator Smith (J):

S. 8. To amend section 13A-6-4, Code of Alabama 1975, to provide that criminally negligent homicide is a Class C felony.

By Senator Dial:

S. 43. To amend Section 37-4-116 of the Code of Alabama 1975, relating to fees for inspection and supervision of radio utilities, so as to provide further for such fees and to provide for payment on a quarterly basis.

By Senator Dial:

S. 44. To require pipeline facilities transporting hazardous liquids and/or liquified natural gas (LNG) and facilities used in the liquification of natural gas to comply with certain standards of safety; granting certain additional rights, powers and authority to the Alabama Public Service Commission to carry out the purposes of this Act; prescribing jurisdictions of courts for injunction proceedings; and prescribing monetary sanctions for violations of certain standards of safety.

By Senator Dial:

S. 45. To amend Section 37-4-23 of the Code of Alabama 1975, to further provide for the disposition and disbursement of fees collected thereunder.

By Senator Dial:

S. 46. To amend Section 37-2-41 of the Code of Alabama 1975, relating to inspection and supervision fees for transportation companies, so as to provide funds for the regulation and enforcement of pay telephones in the state owned and/or operated by local exchange companies, interexchange companies, or customer-owned, coin-operated telephone providers.

By Senator Ellis:

S. 50. To provide further for the revision of eminent domain laws of this state by amending sections 18-1A-24, 18-1A-30, 18-1A-70, 18-1A-74, 18-1A-110, 18-1A-194, 18-1A-211, 18-1A-276 of the Code of Alabama 1975 to make clarifying amendments to the sections.

By Senators Amari, Parsons, Bedford, Ellis, and Hale:

S. 53. Authorizing and empowering the state highway department to set speed limits in urban and rural construction zones along state and interstate highways.

By Senator Preuitt:

S. 39. To establish the Department of Corrections Agricultural Revolving Fund, to provide for its initial funding and to provide for its operation.

Senator Covington, Chairperson of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on

the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Campbell (With Notice and Proof):

S. 9. Relating to Lawrence County, providing for an advisory referendum election relating to the manner of electing the members of the county commission.

By Senator Campbell (With Notice and Proof):

S. 11. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Decatur, in Morgan County.

By Senator Campbell (With Notice and Proof):

S. 12. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Hartselle, in Morgan County.

By Senator Bedford:

S. 16. Proposing an amendment to the Constitution of Alabama of 1901 relating to authorizing the creation of a Franklin County Water Coordinating and Fire Prevention Authority by a general or a local act of the Legislature.

The above Bill was read a second time at length as required by the Constitution.

By Senator Drinkard (With Notice and Proof):

S. 30. Relating to Etowah County; creating the Etowah County Senior Center Finance Authority; providing further for the care and services to certain elderly and disabled individuals; providing for the powers and duties of the members of the authority; providing for the composition and terms of the authority; prescribing the funding for the authority; exempting the authority from any and all local, county or state taxes of whatsoever nature, including gross receipts, sales and ad valorem; authorizing the authority to render services or to contract for services, goods, equipment and space; providing for the payment of the costs of establishing and maintaining multipurpose senior centers; authorizing the authority to issue bonds; and repealing any conflicting laws.

By Senator Drinkard (With Notice and Proof):

S. 31. Relating to Etowah County; providing for the establishment of a consolidated and unified system for assessment and collection of taxes under the supervision of an elected county official designated as county revenue commissioner; providing for the compensation of such official; abolishing the offices of tax assessor and tax collector; repealing conflicting laws; and providing for a referendum thereon.

By Senator Drinkard:

S. 32. To propose a local constitutional amendment levying additional ad valorem taxes in Etowah County for senior citizen centers and county indebtedness; and to provide for the allocation of such revenues and a tax exemption for senior citizen centers operated in the county, subject to Amendment 425 to the Constitution of 1901.

The above Bill was read a second time at length as required by the Constitution.

By Senator Drinkard (With Notice and Proof):

S. 33. Providing for the filling of vacancies, for whatever nature, in the public offices in Etowah County; prescribing the election procedure for certain vacancies for more than one year remaining; prescribing the manner of operating any vacant office for an unexpired term of less than a year; and repealing conflicting laws.

By Senator Bedford (With Notice and Proof):

S. 25. Relating to Franklin County; to provide for additional expense allowances for members of the board of registrars and to provide for its retroactive effect.

By Senator Bedford:

S. 19. Proposing an amendment to the Constitution of Alabama of 1901 relating to authorizing the creation of a Fayette County Water Coordinating and Fire Prevention Authority by a general or a local act of the Legislature.

The above Bill was read a second time at length as required by the Constitution.

By Senator Bedford:

S. 18. Proposing an amendment to the Constitution of Alabama of 1901 relating to authorizing the creation of a Winston County Water Coordinating and Fire Prevention Authority by a general or a local act of the Legislature.

The above Bill was read a second time at length as required by the Constitution.

By Senator Bedford:

S. 17. Proposing an amendment to the Constitution of Alabama of 1901 relating to authorizing the creation of a Lamar County Water Coordinating and Fire Prevention Authority by a general or a local act of the Legislature.

The above Bill was read a second time at length as required by the Constitution.

Senator Hilliard, Chairperson of the Standing Committee on Local Legislation No. 2, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senators Cabaniss, Hilliard, and Bennett (With Notice and Proof):

S. 54. To authorize the Jefferson County Board of Health to designate services rendered by the health department under its control for which fees may be charged and to establish the appropriate fee for each service; to authorize the Jefferson County Board of Health to charge and collect fees for services designated pursuant to this act; to provide that all fees established and collected pursuant to this act shall be retained and used by the Jefferson County Board of Health; to provide that all fees established and collected pursuant to this act shall not replace, but shall supplement and be in addition to, any and all federal, state and local funds otherwise provided to the Jefferson County Board of Health; to provide conditions applicable to the establishment and modification of fees authorized pursuant to this act; to authorize the Jefferson County Board of Health to adopt and to alter rules

and regulations for the implementation and administration of this act and to provide that fees charged pursuant to this act shall be established, modified and collected in accordance with such rules and regulations; to provide that fees for services shall not be charged to persons unable to pay and to provide for confidentiality in the determination of any person's ability to pay; and to repeal all laws or parts of laws in conflict with this act to the extent applicable to Jefferson County.

By Senator Parsons (With Notice and Proof):

S. 59. Relating to Jefferson County; to continue the office of Assistant Sheriff, Bessemer Division; to prescribe the duties, responsibilities and term; to provide for the appointment, qualifications and compensation of said office; to repeal all conflicting statutes; to provide for severability of the provisions of this act and to prescribe the effective date of such act.

By Senator Parsons (With Notice and Proof):

S. 61. Relating to Jefferson County; to prescribe for the compensation of the Chief Deputy Sheriff of Jefferson County and to provide for the payment thereof.

ADJOURNMENT

At 4:55 P.M., on motion of Senator Drinkard, the Senate adjourned until Thursday, September 1, 1988, at 2 o'clock P.M.

THIRD LEGISLATIVE DAY
THURSDAY, SEPTEMBER 1, 1988

The Senate met pursuant to adjournment, Lieutenant Governor Folsom presiding.

PRAYER

The Session was opened with prayer by the Reverend Mark Tusken, Rector, Christ the Redeemer Episcopal Church, Montgomery, Alabama.

PLEDGE OF ALLEGIANCE

The Senators were led in the Pledge of Allegiance to the Flag of the United States of America by Karen Prewitt, Bellingrath Junior High School, Montgomery, Alabama.

ROLL CALL

Present:

Senators:	Campbell	Figures	Manley
Amari	Corbett	Foshee	Menton
Bailey	Covington	Goodwin	Parsons
Barron	deGraffenried	Hale	Preuitt
Bedford	Denton	Hand	Rice
Bedsole	Dial	Hilliard	Sanders
Bennett	Dixon	Holmes	Smith (B)
Bishop	Drinkard	Horn	Smith (J)
Cabaniss	Ellis	Langford	

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JOURNAL

On motion of Senator deGraffenried, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

**REPORT OF COMMITTEE
ON RULES ON
REVISION OF THE JOURNAL**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Second Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

BILL DRINKARD,
Chairperson.

COMMITTEE REPORT

On motion of Senator Drinkard, the foregoing report was concurred in and the Journal of the Senate for the Second Legislative Day was approved by the Senate.

LEAVE OF ABSENCE

On motion of Senator deGraffenried, leave of absence was granted Senator Mitchem for today.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. Hettinger, Hale, Freeman, and Grayson:

H. J. R. 70. SUPPORTING THE ESTABLISHMENT OF A NATIONAL CEMETERY IN NORTH ALABAMA/MADISON COUNTY.

WHEREAS, burial in a National Cemetery is authorized, on a space available basis, for any deceased veteran of wartime or peacetime service who was discharged under conditions other than dishonorable; and

WHEREAS, burial for spouses, and, in some cases, a veteran's unmarried children, is also available; and

WHEREAS, the veteran population in Madison, Morgan, Lauderdale, Marshall, Jackson, and Limestone Counties now exceeds 57,000; and

WHEREAS, an allowance for 75% of the veteran population being married adds an additional 42,000 people as candidates for interment in a National Cemetery; and

WHEREAS, by considering the transferal of bodies from other locations or other cemeteries, and the number of active duty military personnel in the area, approximately 11,400 additional spaces could be needed; and

WHEREAS, the average age of wartime veterans—WW I exceeds 90; WW II, 69; Korea, 56; and Vietnam, 40—will cause the burial rate to increase within the next 10 to 15 years; and

WHEREAS, the nearest National Cemetery to this area is Chattanooga, Tennessee, with 61,000 available spaces; and

WHEREAS, the nearest National Cemetery in Alabama is near Phenix City which is 250-300 miles from North Alabama; and

WHEREAS, the major veterans organizations (DAV, VFW, American Legion, and EX POW), assembled in state convention during June 1988, passed resolutions supporting the establishment of a National Cemetery in North Alabama/Madison County; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we join such organizations as the DAV, VFW, American Legion and EX POW, in supporting the establishment of a National Cemetery in North Alabama/Madison County.

BE IT FURTHER RESOLVED, That a copy of this resolution be forwarded to the Veterans Administration and to Alabama's Congressional Delegation in Washington, D.C.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Smith (J), the Rules were suspended and the Resolution, H. J. R. 70, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

INTRODUCTION OF BILLS

Upon the call of districts, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Senator Bailey:

S. 186. To amend Sections 1.03, 3.02, 3.14, 4.01, 4.02, 6.02 and 10.01 of Act No. 88-445, H. 963 of the 1988 Regular Session appearing in Article 1 of Chapter 44E of Title 11, Code of Alabama 1975, providing for a Mayor/Commission/City Manager form of government for Class 5 municipalities upon adoption by a municipality, so as to further provide for said form of government for Class 5 municipalities.

Committee on Governmental Affairs.

By Senator Ellis:

S. 187. To propose an amendment to the Constitution to provide that no bond, warrant or any other obligation of any county shall be considered a bond for the purposes of Section 222 of the Constitution of Alabama of 1901, as amended, nor shall any bond, warrant or any other obligation of any county be included in the indebtedness of such county within the meaning of any provision of Section 224 of the Constitution of Alabama of 1901, as amended, if any such bond, warrant or other obligation is issued to provide, improve or repair any public facilities or improvements (including, without limitation, roads, streets, sidewalks, sanitary sewers, storm water sewers, sewage treatment facilities, flood control facilities, seawalls, and lighting systems) specially benefiting, to any degree, one or more tracts or parcels of property if the cost of such public facilities or improvements is to be assessed, in whole or in part, against such property.

Committee on Judiciary.

The above Bill was read a first time at length as required by the Constitution.

By Senator Ellis:

S. 188. To provide a comprehensive system of law applicable to all counties in this state defining the powers of any such counties to construct improvements or reimprovements consisting of streets or any portions thereof, sanitary sewers and sewer systems and water and gas mains and service connections, drainage improvements or drainage systems and the filling in of swamps or inundated or overflowed or submerged lands, ornamental lighting systems or white way systems of lighting and the construction, acquisition, improvement and extension of seawalls, dikes, levees and embankments in such counties; to provide a method for the assessment of the cost of any such improvement against the property abutting on, or drained, served, or benefited by such improvement; to require the adoption of a resolution describing the improvement and the property abutting on, or the area to be drained, served or benefited by such improvement; to require the filing of plans and specifications for such improvement; to provide for publication and mailing of notice of the adoption of the said resolution; to provide for a public hearing on such improvement; to provide for payment of the cost of the improvement; to provide for the establishment of the grade of certain streets, avenues, alleys or sidewalks to be improved; to provide for public advertisement for bids for the construction of the improvement unless the county shall perform the work or provide materials from its own resources;

to provide that the county commission must accept or reject work on the part of the county; to provide for supervision of the work; to provide for the levy of assessments on the property abutting on or drained, served or benefited by any improvement; to provide for the assessment against lands purchased by the state; to provide the manner of assessments generally; to provide for improvements of intersections of streets, avenues or other highways; to provide for sidewalk improvements; to provide for the preparation of a list of owners and parcels to be assessed, and publication of notice of such list; to provide for the entry of the list in an assessment book for local improvements; to provide for the delivery of the assessment book to the county clerk and the publication of notice as to delivery and inspection of such book; to provide for notice of obligations; to provide for the contents of the notice as to the hearing on assessments for improvements; to provide for any defects or errors therein; to provide for the filing of written objections to assessments by property owners; to provide for a hearing on the proposed assessments and making the same final; to provide for the powers of the commission as to the subpoena of witnesses; to provide for the establishment of a lien on the property subject to the assessments and for the priority thereof; to provide for the reduction or abatement of certain assessment; to provide for procedures with respect to erroneous assessments and assessments in excess of benefits derived; to authorize the transfer and assignment of such liens, and for the enforcement thereof; to specify other provisions with respect to such liens; to provide for the effect of enforcement of tax liens upon property subject to assessment liens and the duration of assessment liens; to provide for the effect of sale of property for enforcement of an assessment lien upon other assessment liens upon the same property; to provide a system for appeals from the making of such final assessment; to provide for bond on appeal; to provide for entry on trial docket of appeal; to provide for the transcript for appeal; to provide for prima facie evidence on appeal; to provide for the conduct of appeal, right of jury trial and the entry of judgment and assessment of costs generally; to provide for the entry of judgment for amounts property chargeable against lands where the assessment is defective; to provide for appeals from the judgment of the circuit court; to provide for the addition of interest and damages upon affirmance of judgment for the county; to provide that the county may appeal from any judgments of the circuit court without giving bond; to provide for the issuance of execution and order of sale upon entry of final judgment in favor of the county; to provide a system for payment of all such assessments and for default in such payments; to provide for proceedings for sale of land upon failure of owner to pay assessment; to provide for the payment of assessments prior to sale; to provide that the costs of notice and sale are to be charged against the land; to provide for the execution of a deed to the purchaser at such sale; to provide for the effect of error and defect of notice of sale; to provide for the redemption of property after sale generally; to provide for the extension of the redemption period; to provide for the application for filing of certificate of warning to redeem upon the record of local improvement assessment sale deed; to provide for the mailing of copies of deed and certificate to persons last assessed upon property described in deed by probate judge; to provide for the redemption of property during extended redemption period; to provide for the performance of duties of the probate judge; to provide for the redemption of property; to provide for the making of temporary loans or issuance of bonds before or during progress of work to pay for cost of improvement; to provide for the issuance of bonds after completion of work; to provide for the applicability of provisions of law as to issuance of county bonds generally; to provide for the issuance of bonds generally; to provide for the maturity and payments of such bonds;

to provide for the disposition of proceeds from the sale of bonds; to provide for the grouping of improvements for the issuance of bonds; to provide for the maintenance and disposition of sinking fund accounts for bond issues; to provide for the bond of the officer charged with the collection of assessments; to provide for the redemption of bonds; to provide for the refunding of excess assessments; to provide a limitation period for presentation of claims and disposition of amounts not refunded; to provide for the settlement, adjustment or refunding of bonds; to provide for the consolidation of separate outstanding issues or issuance of refunding bonds; to provide for the maintenance and disposition of sinking fund accounts for refunding bond issues; to grant to any county the right of eminent domain with respect to improvements; to provide that this Act shall not affect the powers of counties to compel property owners to repair sidewalks; to provide for apportionment of assessments against property for public improvements among joint owners thereof; to provide for a petition of a tenant in common for division of an assessment among joint owners of property; to provide for a division of assessment among the tenants in common; to provide for a notice to property owners of division of assessment; to provide for appeals from division of assessment; to provide for correction of description of ownership of property and reduction of an assessment; to provide for the effect of reduction upon an assessment lien; to provide for the effect of annexation and incorporation of an area in which assessments have been made; to amend Section 11-28-3, Code of Alabama 1975, as amended, relating to the issuance of warrants by counties so as to provide for the pledge of assessments for the benefit of such warrants; to provide for severability of the provisions of this Act and for the repeal of inconsistent laws; and to establish the effective date of this Act.

Committee on Governmental Affairs.

By Senator Smith (B):

S. 189. To further amend Section 40-3-7, Code of Alabama 1975, as amended, relating to term of service of schedule and compensation for members of the several county boards of equalization, so as to further provide for certain of those members whose counties have had an increase in population and total taxable property, 196,966 inhabitants and in excess of \$862,000, respectively, based on the latest available official figures; and to provide for the effective date.

Committee on Governmental Affairs.

By Senators Foshee and Covington:

S. 190. To amend Section 7-9-307 of the Code of Alabama 1975, relating to the Alabama Uniform Commercial Code and the purchase and sale of livestock; to provide for the exemption of the purchase and sale of livestock bought and sold by livestock buyers and livestock sale barns from requirements of filing and examining financing statements in the farm products central index system for liens prior to purchase or sale.

Committee on Agriculture,
Conservation, and Forestry.

By Senator Amari:

S. 191. To amend Sections 11-98-2, 11-98-4 and 11-98-5 of the Code of Alabama 1975, relating to emergency telephone service so as to provide further for procedures relating to the creation of communications districts;

to provide further for personnel employed in such districts; to prescribe the corporate structure and organization of such districts, including their corporate powers and to provide that such districts may receive certain property and make certain expenditures.

Committee on Commerce,
Transportation, and Utilities.

By Senator Sanders:

S. 192. To establish a School Breakfast Program.

Committee on Finance and Taxation.

By Senator Hilliard:

S. 193. To amend the Alabama Trademark Act to include the registrability of business trade names thereby creating an "Alabama Trademark and Trade Name Act" by amending sections 8-12-6, 8-12-7, 8-12-8, 8-12-9, 8-12-14, 8-12-16, and 8-12-17 of the Code of Alabama 1975; to provide for transition of existing trademarks; and to provide for an effective date of January 1, 1989.

Committee on Judiciary.

By Senator Corbett:

S. 194. To provide that any person who has served at least two terms in the legislature, one or more years as a circuit court judge, five or more years as a county juvenile court judge, at least six months as an inferior court judge and one year in the United States military service shall be allowed to make certain contributions into the Employees' Retirement System and have such service time credited as state service toward retirement.

Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Rep. Haynes:

H. J. R. 32. COMMENDING THE TALLADEGA LITTLE LEAGUE GIRLS' SOFTBALL CHAMPIONS.

Also:

By Rep. Gaston:

H. J. R. 33. COMMENDING WILLIAM E. ELDER OF MOBILE, ALABAMA, FOR OUTSTANDING PROFESSIONAL ACHIEVEMENT.

Also:

By Rep. Gaston:

H. J. R. 34. COMMENDING SAINT IGNATIUS SCHOOL AND PRINCIPAL JAN MURRAY.

Also:

By Reps. Crow, Willis, and Campbell:

H. J. R. 36. COMMENDING EAGLE SCOUT GEORGE WALTER WATSON OF CALHOUN COUNTY, ALABAMA.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Corbett, the Rules were suspended and the Resolutions, H. J. R.'s 32, 33, 34, and 36, set out in the foregoing Message from the House, were concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Reps. Crow, Willis, and Campbell:

H. J. R. 37. COMMENDING EAGLE SCOUT JEFFERY A. EDWARDS OF CALHOUN COUNTY, ALABAMA.

Also:

By Reps. Crow, Willis, and Campbell:

H. J. R. 38. COMMENDING EAGLE SCOUT JOHN T. RITONDO, JR., OF CALHOUN COUNTY, ALABAMA.

Also:

By Reps. Crow, Willis, and Campbell:

H. J. R. 39. COMMENDING EAGLE SCOUT JEFFERY A. DAXE OF CALHOUN COUNTY, ALABAMA.

Also:

By Reps. Crow, Willis, and Campbell:

H. J. R. 41. COMMENDING MCCULLOUGH WILLIAMS FOR OUTSTANDING SERVICE.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Bedsole, the Rules were suspended and the Resolution, H. J. R. 37, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

On motion of Senator deGraffenried, the Rules were suspended and the Resolutions, H. J. R.'s 38, 39, and 41, set out in the foregoing Message from the House, were concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 2. COMMITTEE APPOINTED TO ESCORT GOVERNOR TO JOINT SESSION OF THE LEGISLATURE.

And the Speaker of the House appointed as Committee on part of the House Reps. White (G), Gaston, and Petelos.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Harper, Adams, and Wright:

H. 28. To make annual appropriations for the support, maintenance and development of public education in Alabama and for debt service and capital improvements for the fiscal year ending September 30, 1989.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 28—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Layson (With Notice and Proof):

H. 104. Relating to Pickens County; providing an expense allowance for members of the board of registrars retroactive to October 1, 1985, and providing that such expense allowance shall remain in effect either until September 30, 1991 or until the provisions of Act 88-659 of the 1988 Regular Session are implemented, whichever occurs first, at which occurrence the county governing body shall by resolution either terminate or continue such expense allowance.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 104, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,
Clerk.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 104—to the Committee on Local Legislation No. 1

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Rep. Parker (With Notice and Proof):

H. 87. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Decatur, in Morgan County.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 87, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Reps. Fuller and Laird (With Notice and Proof):

H. 88. Relating to Chambers County, providing further for the compensation of poll workers.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 88, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,
Clerk.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 87 and 88—to the Committee on Local Legislation No. 1

MOTION TO ADJOURN

Senator deGraffenried moved that when the Senate adjourns today, it adjourn to meet again on Friday, September 2, 1988, at 11 o'clock A.M.

Senator Hilliard offered a substitute motion that when the Senate adjourns today, it adjourn to meet again on Tuesday, September 6, 1988, at 11 o'clock A.M.

On motion of Senator deGraffenried, said motion was laid on the table.

Yeas 17; Nays 14.

Yeas:

Senators:	Denton	Foshee	Langford	
Bedsole	Dial	Goodwin	Preuitt	
Bennett	Dixon	Hale	Rice	
Campbell	Drinkard	Hand	Smith (J)	
deGraffenried	Ellis			—17

Nays:

Senators:	Bedford	Figures	Parsons	
Amari	Bishop	Hilliard	Sanders	
Bailey	Cabaniss	Holmes	Smith (B)	
Barron	Corbett	Horn		—14

The question was then recurred on the motion of Senator deGraffenried that when the Senate adjourns today, it adjourn to meet again on Friday, September 2, 1988, at 11 o'clock A.M., which motion was adopted.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 32. COMMENDING THE TALLADEGA LITTLE LEAGUE GIRLS' SOFTBALL CHAMPIONS.

Also:

H. J. R. 33. COMMENDING WILLIAM E. ELDER OF MOBILE, ALABAMA, FOR OUTSTANDING PROFESSIONAL ACHIEVEMENT.

Also:

H. J. R. 34. COMMENDING SAINT IGNATIUS SCHOOL AND PRINCIPAL JAN MURRAY.

Also:

H. J. R. 36. COMMENDING EAGLE SCOUT GEORGE WALTER WATSON OF CALHOUN COUNTY, ALABAMA.

Also:

H. J. R. 70. SUPPORTING THE ESTABLISHMENT OF A NATIONAL CEMETERY IN NORTH ALABAMA/MADISON COUNTY.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment.

By Rep. Clark (J) (With Notice and Proof):

H. 19. Relating to Barbour County, providing for an increase in certain court costs and providing for the disposition of the proceeds from the increase.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 19, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Rep. Britnell (With Notice and Proof):

H. 85. Relating to Franklin County; to provide for additional expense allowances for members of the board of registrars and to provide for its retroactive effect.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 85, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,
Clerk.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 19 and 85—to the Committee on Local Legislation No. 1

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Grouby:

H. 1. To propose a self-executing amendment to the Constitution of Alabama of 1901, relative to the compensation of the judge of probate of Autauga County.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 1—to the Committee on Local Legislation No. 1

The above Bill was read a first time at length as required by the Constitution.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Rep. Parker (With Notice and Proof):

H. 168. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Hartselle, in Morgan County.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 168, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Rep. Parker (With Notice and Proof):

H. 169. Relating to Morgan County; authorizing and empowering the Morgan County commission and the governing bodies of the incorporated municipalities in such county to regulate and control through the issuance of permits the location of rock quarry blasting operations within the county.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 169, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,
Clerk.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 168 and 169—to the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Breedlove:

H. 225. To propose an amendment to the Constitution of Alabama of 1901, relating to fire protection districts in Washington County, so as to provide for the levy and collection of certain additional property tax for fire protection in said county.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 225—to the Committee on Local Legislation No. 1

The above Bill was read a first time at length as required by the Constitution.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Rep. Hammett (With Notice and Proof):

H. 242. To alter or rearrange the boundary lines of the City of Andalusia, Covington County, Alabama, so as to include within the corporate limits of said city all territory now within such corporate limits and also certain other territory contiguous thereto, in Covington County, Alabama.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 242, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Rep. Hammett (With Notice and Proof):

H. 243. Relating to Covington County; providing for the collection of municipal and/or county vehicle use tax on vehicles purchased from out-of-state dealers or Alabama dealers who failed to collect municipal and/or county sales taxes at the time of sale; and providing for the disposition of the proceeds.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 243, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,
Clerk.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 242 and 243—to the Committee on Local Legislation No. 1

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Reps. Blakeney and Black (With Notice and Proof):

H. 264. To authorize the Choctaw County Board of Health to designate the services rendered by the County Health Department for which a reasonable fee may be charged and to set the appropriate fee for each service. No citizen shall be denied any service because of that person's inability to pay.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 264, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Reps. Johnson (RG) and Haynes (With Notice and Proof):

H. 269. Relating to Talladega County; to provide for the mailing address of the grantees to appear on all conveyances of real property recorded in the probate office of such county.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 269, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,
Clerk.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 264 and 269—to the Committee on Local Legislation No. 1

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Rep. Holley (With Notice and Proof):

H. 127. Relating to Coffee County, to provide for the salary of the Probate Judge, the Revenue Commissioner and the Sheriff.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 127, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Rep. Holley (With Notice and Proof):

H. 129. Relating to Coffee County, to designate the bridge over White Water Creek on Highway 167 the Clowers Bridge and to provide for the preparation and erection of signs.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 129, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,
Clerk.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 127 and 129—to the Committee on Local Legislation No. 1

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Rep. Clark (J) (With Notice and Proof):

H. 20. Relating to Barbour County, providing an expense allowance for the circuit judge, district attorney, district judge and circuit clerk, and to provide for the funding of said allowance.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 20, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Rep. Adams (With Notice and Proof):

H. 123. To authorize the county commission of Russell County, acting pursuant to Amendment No. 373 to the Constitution of Alabama of 1901, to increase the rate at which there is levied and collected by Russell County, on all taxable property situated within said county, an ad valorem tax for public buildings, bridges or roads by an amount which shall not exceed, for any tax year of said county, \$.65 on each one hundred dollars (6-1/2 mills on each dollar) of assessed value and to provide for a referendum.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 123, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,
Clerk.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 20 and 123—to the Committee on Local Legislation No. 1

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Rep. Johnson (RW) (With Notice and Proof):

H. 91. Relating to the City of Tuscaloosa, Tuscaloosa County, fire-fighters, so as to establish longevity pay in addition to compensation and the manner of such payments.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 91, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Rep. Flowers (With Notice and Proof):

H. 194. To implement the Pike County Government Modernization Plan; to further provide for the operation of certain county offices; to abolish the offices of tax assessor and tax collector and to merge such functions into a new revenue commissioner and to provide for such officer's qualifications, election procedures, duties, powers and compensation; to remove and transfer duties of chairman of the Pike County Commissioner from the judge of probate to the full-time chairman of the county commission and to provide for the qualifications, election procedures, duties, powers and compensation of such chairman; to provide for the reelection of the tax assessor and tax collector under certain conditions; to further provide for the compensation of the judge of probate; and to provide for the effective dates of this act, which dates shall be specified in different years.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 194, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,
Clerk.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 91 and 194—to the Committee on Local Legislation No. 1

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Reps. Zoghby, Marietta, Buskey (JE), Turner, Kennedy, Gaston, Clark (W), Harper, Kvalheim, and Box (With Notice and Proof):

H. 166. Relating to Mobile County; providing for the establishment of a consolidated and unified system of assessment and collection of taxes under the supervision of an elective county official designated as county revenue commissioner upon the expiration of the current terms of office of tax assessor and tax collector; prescribing the powers, duties, and term of office of said county revenue commissioner, and providing for his election; abolishing the county offices of tax assessor and tax collector in Mobile County; repealing conflicting laws; and providing that this act shall become effective only upon the approval of a majority of the qualified electors of Mobile County voting thereon in a referendum election.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 166, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Rep. Dillard (With Notice and Proof):

H. 235. Relating to Lawrence County, providing for an advisory referendum election relating to the manner of electing the members of the county commission.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 235, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,
Clerk.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 166—to the Committee on Local Legislation No. 3

H. B. 235—to the Committee on Local Legislation No. 1

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Reps. Penry and McMillan (With Notice and Proof):

H. 182. Relating to Baldwin County; to alter, rearrange and extend the boundary lines and corporate limits of the municipality of Fairhope in Baldwin County.

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3rd Day

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 182, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Reps. Haynes and Johnson (RG) (With Notice and Proof):

H. 189. Relating to Talladega County, requiring the inspection of all asphalt plants eligible to bid on the sale of asphalt plant mix to the county or any municipality within the county by the highway department.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 189, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,
Clerk.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 182 and 189—to the Committee on Local Legislation No. 1

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Flowers (With Notice and Proof):

H. 165. Relating to Pike County; providing for the mode of construction, maintenance and repair of public roads, highways, bridges and ferries under the county unit system; authorizing and requiring the county engineer; providing for the manner of selecting said engineer; prescribing his qualifications and requiring bond; defining his authority, powers and duties and those of the county commission in relation to the roads, highways, bridges and ferries of Pike County; prohibiting the performance of certain work on private property; providing civil fines for violations; and providing for an effective date.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 165, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,
Clerk.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 165—to the Committee on Local Legislation No. 1

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Rep. Johnson (RW) (With Notice and Proof):

H. 93. Relating to Tuscaloosa County and the Firemen's and Police-men's Pension and Relief Fund for the City of Tuscaloosa, further amending Act No. 328, H. 854, 1959 Regular Session, providing for an increase in the amount to be deducted from the salary of each fireman and policeman, increasing the amount to be paid into the fund out of the treasury of city by the governing body of the city and to change the requirements relating to the signing of warrants or checks for payment of amounts from the fund.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 93, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Rep. Parker (With Notice and Proof):

H. 193. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Hartselle, in Morgan County.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 193, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,
Clerk.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 93 and 193—to the Committee on Local Legislation No. 1

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Reps. Bugg, Junkins, and Ford (With Notice and Proof):

H. 178. Relating to Etowah County; to authorize the probate judge to set the fee for supplying a copy of an instrument; to place the proceeds from the fees in a special fund and provide for its use.

JOURNAL OF THE SENATE, 1988
3rd Day

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 178, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Rep. Venable (With Notice and Proof):

H. 181. Relating to Coosa County, providing for an advisory referendum regarding Coosa County Commission members' compensation and the Coosa County Commission chairman's right to vote.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 181, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,
Clerk.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 178 and 181—to the Committee on Local Legislation No. 1

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Rep. Faulk (With Notice and Proof):

H. 92. Relating to Crenshaw County; to provide for the election of the county superintendent and for the filling of unexpired terms of office resulting from vacancies; subject to the approval of a majority of the qualified electors of Crenshaw County voting thereon at a referendum election.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 92, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Reps. Johnson (RG) and Haynes (With Notice and Proof):

H. 102. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Sylacauga, in Talladega County.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 102, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,
Clerk.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 92 and 102—to the Committee on Local Legislation No. 1

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Harper:

H. 42. To provide for the creation of a special account to which the Legislature shall appropriate certain funds to prevent proration of the Alabama Special Educational Trust Fund; to prescribe criteria and procedures for withdrawals from such account in years of proration or in emergency situations as may be determined by the Legislature; to make annual appropriations to such account until a certain amount is established and to provide that such amount shall be maintained in separate trust from year to year except during years of proration in the Alabama Special Educational Trust Fund and in emergencies; to prescribe procedures and criteria for reimbursement to such account after withdrawals; to provide for an effective date; and to repeal conflicting provisions.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 42—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Harper:

H. 35. To make an appropriation from the Alabama Special Educational Trust Fund in the amount of \$400,000 to Children and Womens Hospital for the fiscal year ending September 30, 1989 and to require an operations plan and audited financial statement prior to release of any funds.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 35—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. White (G), Beers, Spratt, Seibels, Curry, Logan, Petelos, Newton, Perdue, Gray, McDowell, McClain, and Payne:

H. 155. To make a supplemental appropriation from the Alabama Special Education Trust Fund to the Children's Hospital of Alabama in Birmingham, Alabama, for the fiscal year 1988-89, and to require an operations plan and audited financial statement prior to release of any funds.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 155—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Reps. Clark (W) and Buskey (JE) (With Notice and Proof):

H. 230. Relating to the City of Prichard in Mobile County; limiting the number of city council members on the water works and sewer board to no more than one.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 230, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,
Clerk.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 230—to the Committee on Local Legislation No. 3

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Rep. Flowers (With Notice and Proof):

H. 86. Relating to Pike County; repealing Act No. 87-760, H. 853, 1987 Regular Session, which provided a legislative delegation office allowance, and increasing certain court costs, so as to provide further for an expense allowance for the legislative delegation office.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 86, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Rep. Faulk (With Notice and Proof):

H. 89. Relating to Crenshaw County; providing for the establishment of a consolidated and unified system of assessment and collection of taxes under the supervision of an elective county official designated as county revenue commissioner; prescribing the powers, duties, term of office and compensation of said county revenue commissioner, and providing for his election; abolishing the county offices of tax assessor and tax collector in Crenshaw County; repealing conflicting laws; and prescribing the effective date of this act.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 89, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,
Clerk.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 86 and 89—to the Committee on Local Legislation No. 1

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
Alabama State House
Montgomery, Alabama

Lady and Gentlemen:

I herewith transmit to you a message from the Governor relative to the Alabama Banking Board.

Respectfully submitted,
JAMES F. REDDOCH, JR.,
Executive Secretary.

Done this 31st day of August, 1988.

To the Senate of Alabama
Alabama State House
Montgomery, Alabama

Lady and Gentlemen:

I have appointed, subject to your confirmation, Mr. James R. Jones of Flomaton, Alabama to the Alabama Banking Board, for the term expiring on February 1, 1993, replacing Mr. John Gittings.

Respectfully submitted,

GUY HUNT,
Governor.

Done this 31st day of August, 1988.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Alabama Banking Board, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
Alabama State House
Montgomery, Alabama

Lady and Gentlemen:

I herewith transmit to you a message from the Governor relative to the Assistant State Adjutant General.

Respectfully submitted,

JAMES F. REDDOCH, JR.,
Executive Secretary.

Done this 31st day of August, 1988.

To the Senate of Alabama
Alabama State House
Montgomery, Alabama

Lady and Gentlemen:

I have appointed, subject to your confirmation, Brigadier General, Line, James E. Moore as Assistant State Adjutant General.

Respectfully submitted,

GUY HUNT,
Governor.

Done this 31st day of August, 1988.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Assistant State Adjutant General, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
Alabama State House
Montgomery, Alabama

Lady and Gentlemen:

I herewith transmit to you a message from the Governor relative to the Surface Mining Commission.

Respectfully submitted,

JAMES F. REDDOCH, JR.,
Executive Secretary.

Done this 31st day of August, 1988.

To the Senate of Alabama
Alabama State House
Montgomery, Alabama

Lady and Gentlemen:

I have appointed, subject to your confirmation, Mr. John M. Cardwell, Jr. of Birmingham, Alabama to the Surface Mining Commission for the term expiring on June 30, 1992.

Respectfully submitted,

GUY HUNT,
Governor.

Done this 31st day of August, 1988.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Surface Mining Commission, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
Alabama State House
Montgomery, Alabama

Lady and Gentlemen:

I herewith transmit to you a message from the Governor relative to the Surface Mining Commission.

Respectfully submitted,

JAMES F. REDDOCH, JR.,
Executive Secretary.

Done this 31st day of August, 1988.

To the Senate of Alabama
Alabama State House
Montgomery, Alabama

Lady and Gentlemen:

I have appointed, subject to your confirmation, Mr. Charles Gilbreath of Double Springs, Alabama, to the Surface Mining Commission, for the term expiring on June 30, 1991, replacing Mr. Samuel M. Hill.

Respectfully submitted,

GUY HUNT,
Governor.

Done this 31st day of August, 1988.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Surface Mining Commission, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
Alabama State House
Montgomery, Alabama

Lady and Gentlemen:

I herewith transmit to you a message from the Governor relative to the Surface Mining Commission.

Respectfully submitted,

JAMES F. REDDOCH, JR.,
Executive Secretary.

Done this 31st day of August, 1988.

To the Senate of Alabama
Alabama State House
Montgomery, Alabama

Lady and Gentlemen:

I have appointed, subject to your confirmation, Mr. Edward O'Neal Shipman of Double Springs, Alabama, to the Surface Mining Commission, for the term expiring on June 30, 1991, replacing Dr. David J. Rowland.

Respectfully submitted,

GUY HUNT,
Governor.

Done this 31st day of August, 1988.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Surface Mining Commission, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
Alabama State House
Montgomery, Alabama

Lady and Gentlemen:

I herewith transmit to you a message from the Governor relative to the Surface Mining Commission.

Respectfully submitted,

JAMES F. REDDOCH, JR.,
Executive Secretary.

Done this 31st day of August, 1988.

To the Senate of Alabama
Alabama State House
Montgomery, Alabama

Lady and Gentlemen:

I have appointed, subject to your confirmation, Mr. Robert A. Jones, Jr. of Birmingham, Alabama to the Surface Mining Commission, for the term expiring on June 30, 1992, replacing Mr. W. Alan Summers.

Respectfully submitted,

GUY HUNT,
Governor.

Done this 31st day of August, 1988.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Surface Mining Commission, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
Alabama State House
Montgomery, Alabama

Lady and Gentlemen:

I herewith transmit to you a message from the Governor relative to the Alabama Real Estate Commission.

Respectfully submitted,

JAMES F. REDDOCH, JR.,
Executive Secretary.

Done this 31st day of August, 1988.

To the Senate of Alabama
Alabama State House
Montgomery, Alabama

Lady and Gentlemen:

I have appointed, subject to your confirmation, Mr. Jim Bagwell of Birmingham, Alabama, to the Alabama Real Estate Commission, for the term expiring September 30, 1991.

Respectfully submitted,

GUY HUNT,
Governor.

Done this 31st day of August, 1988.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Alabama Real Estate Commission, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
Alabama State House
Montgomery, Alabama

Lady and Gentlemen:

I herewith transmit to you a message from the Governor relative to the Alabama Real Estate Commission.

Respectfully submitted,

JAMES F. REDDOCH, JR.,
Executive Secretary.

Done this 31st day of August, 1988.

To the Senate of Alabama
Alabama State House
Montgomery, Alabama

Lady and Gentlemen:

I have appointed, subject to your confirmation, Mr. Leon Crawford of Huntsville, Alabama, to the Alabama Real Estate Commission, for the term expiring September 30, 1992, replacing Mr. Bert Danner.

Respectfully submitted,

GUY HUNT,
Governor.

Done this 31st day of August, 1988.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Alabama Real Estate Commission, was read and referred to the Standing Committee on Rules.

REPORTS OF COMMITTEES

Senator Smith (J), Chairperson of the Standing Committee on Health, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senators Mitchem and Barron:

S. 28. To provide for cost-of-living increases in the retirement benefits of retired employees of certain public hospitals and related facilities; to provide that the granting of such increases shall be at the option of the county commission of the county in which such hospital or facility existed and the cost thereof shall be paid by such county.

By Senator Manley:

S. 107. To further regulate the advertising by dentists, and the fees of dentists for administering anesthesia intravenous sedation; and to further amend Sections 34-9-19, 34-9-60, 34-9-61, 34-9-63 and 34-9-64, Code of Alabama 1975, as amended, relating to fees and advertising, so as to further provide therefor.

By Senator Bailey:

S. 171. To amend Section 26-16-5, Code of Alabama 1975, relating to meetings of the Child Abuse and Neglect Prevention Board, so as to delete two mandated meeting dates of such Board.

Senator Horn, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senators Bedford, Corbett, Bennett, Langford, Drinkard, Figures, Hilliard, Menton, Smith (J), Barron, deGraffenried, Holmes, Dial, Covington, Foshee, Denton, Campbell, Parsons, Bailey, Sanders, Amari, and Ellis:

S. 22. To provide a seven and one-half percent (7.5%) pay increase for certain public education employees with the beginning of the 1988-89 fiscal year; to provide a continuing pay increase provision for those teachers who have gained or may gain "continuing service status" or attain five years teaching experience in public schools and institutions; to define "continuing service status" for pay purposes only; to provide a seven and one-half percent (7.5%) increase for full-time personnel on all Salary Schedules in all public two-year colleges; to grant two-year college personnel credit for prior work experience; to prescribe a manner for payment; to establish miscellaneous pay provisions; and to provide an effective date.

By Senators Drinkard, Rice, Foshee, Denton, Goodwin, Campbell, Langford, Bedsole, Dixon, Dial, and Mitchem:

S. 34. To make an appropriation of \$30,000 from the State General Fund to the Coosa-Alabama River Improvement Association for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

By Senator Horn:

S. 74. To make an appropriation for the support and maintenance of Marion Military Institute for the fiscal year ending September 30, 1989.

By Senator Horn:

S. 80. To make an appropriation for the support and maintenance of Talladega College for the fiscal year ending September 30, 1989.

By Senator Horn:

S. 85. To make an appropriation for the support and maintenance of Lyman Ward Military Academy for the fiscal year ending September 30, 1989.

By Senator Horn:

S. 87. To make an appropriation for the support and maintenance of Walker County Junior College for the fiscal year ending September 30, 1989.

By Senator Horn:

S. 91. To make an appropriation for the support and maintenance of Sylacauga Nurses Training School for the fiscal year ending September 30, 1989.

By Senators Bennett, Rice, Amari, Parsons, Hilliard, and Cabaniss:

S. 93. To make a supplemental appropriation from the Alabama Special Education Trust Fund to the Children's Hospital of Alabama in Birmingham, Alabama, for the fiscal year 1988-89, and to require an operations plan and audited financial statement prior to release of any funds.

Senator Horn, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendments, and it was read a second time and placed on the calendar, to-wit:

By Senator Horn (With Amendments):

S. 71. To make an appropriation from the State General Fund and the Alabama Special Educational Trust Fund for the fiscal year 1988-89 for the use of a sickle cell education program.

Senator Horn, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Horn:

S. 73. To make an appropriation of \$2,000,000 from the Alabama Special Educational Trust Fund to the Southern Research Institute for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

By Senator Corbett:

S. 169. To make an appropriation from the Alabama Special Educational Trust Fund for the support and maintenance of Tuskegee Institute (Tuskegee University) for the state fiscal year ending September 30, 1989.

By Senator Bedsole:

S. 185. To make an appropriation from the Alabama Special Educational Trust Fund in the amount of \$400,000 to the Children's and Women's

Hospital for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

By Senators Horn, Dixon, Drinkard, Dial, Hale, Bennett, Barron, Ellis, Cabaniss, Denton, Bedsole, and deGraffenried:

S. 60. To make an appropriation from the Alabama Special Educational Trust Fund to the Alabama Shakespeare Festival for the fiscal year 1988-89 and to require an operations plan and audited financial statement prior to release of any funds; to require the condition of the donation of certain student tickets; to require the continuation of student discounts; and to require the reversion of funds appropriated upon certain violations of the provisions of this act.

Senator Amari, Chairperson of the Standing Committee on Economic Affairs, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Senator Bedford:

S. 68. To amend Sections 9-17-1 and 9-17-33, Code of Alabama 1975, relating to oil and gas, so as to provide for a floating rate of interest on undistributed oil and gas revenues, to provide for distribution of royalty on gas produced from natural gas wells completed in reservoir or reservoirs of Paleozoic geologic age, including periodic cash balancing, to establish semi-annual balancing periods, to provide a procedure for such balancing, to require that certain accounting data be furnished and to provide for attorney's fees in certain royalty collection suits.

Senator Rice, Chairperson of the Standing Committee on Public Welfare, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Rice:

S. 155. To further amend section 38-7-3, Code of Alabama 1975, relating to child day care centers which are exempt from regulation by the Department of Human Resources, so as to require those exempted child day care programs be required to submit to the Department of Human Resources written verification of compliance with fire and health regulations, applicable to child day care centers, and that the Department of Human Resources be required to retain such verification on file.

By Senator Rice:

S. 154. To authorize the department of human resources to remove certain items of fully depreciated state property which have little or no resale or reuse value to the state from state property inventory by transferring title and ownership of same to purchase of service contractors who will continue to utilize those items in providing needed services to clients of the department of human resources.

By Senator Rice:

S. 150. To amend sections 16-33B-1, 16-33B-3 and 16-33B-4, Code of Alabama 1975, relating to the Alabama guaranteed student loan program, so as to define approved lender, student loan, Federal Student Loan Law and eligible institution; to provide program administration in accordance with

the Federal Student Loan Law; to provide for basic powers and duties of the Alabama Commission on Higher Education in accordance with the Federal Student Loan Law; to promote the availability of the Alabama guaranteed student loan program; and to service loans.

By Senators Rice, Bedford, Mitchem, Campbell, Covington, Preuitt, Barron, Ellis, Cabaniss, Drinkard, Dixon, Bedsole, Foshee, Hale, Amari, deGraffenried, Bailey, Hilliard, Bennett, Horn, Manley, and Parsons:

S. 149. To provide for a voluntary check-off designation on state income tax returns for the 1988 tax year and each year thereafter for the Alabama Veterans' Nursing Home Program; to provide the form for such designation; to provide for the crediting to the Department of Veterans' Affairs of the total amount designated for nursing home and health care services for aged and disabled veterans in Alabama; and to provide for an effective date.

By Senators Rice and Bennett:

S. 145. To make an appropriation for the support and maintenance of Camp ASCCA, in Jackson Gap, Alabama for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

By Senator Bailey:

S. 116. To amend Sections 38-3-1, 38-3-2, 38-3-3, and 38-3-5, Code of Alabama 1975, relating to the Commission on Aging, so as to provide further for the membership, terms of members, duties, responsibilities, functions and personnel of such commission.

By Senators Rice, Bedford, Mitchem, Campbell, Covington, Preuitt, Barron, Ellis, Cabaniss, Drinkard, Dixon, Bedsole, Foshee, Hale, Amari, deGraffenried, Bailey, Bennett, Horn, Manley, and Parsons:

S. 148. To authorize the State Department of Veterans' Affairs to provide for the operation of a state veterans' home or homes; to provide for the administration of such homes; to authorize the receipt and use of federal and other funds for such purpose; to provide for the powers and duties of the State Board of Veterans' Affairs regarding said veterans' home; to create a veterans' home trust fund; to provide certain admission and discharge policy, to require certain reports and budget requests, to specify reimbursement policy; and to provide that certain certification requirements are met.

Senator deGraffenried, Chairperson of the Standing Committee on State Development and Tourism, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Goodwin:

S. 94. To amend section 36-21-9 of the Code of Alabama 1975, which provides for a card authorizing an honorably retired law enforcement officer to carry a handgun so as to change the issuance of the card from an annual to a permanent basis.

By Senator Goodwin:

S. 172. To amend Section 36-22-16 of the Code of Alabama 1975, so as to provide for the compensation of the sheriffs of the several counties in this state.

By Senator Foshee:

S. 183. To provide for the establishment and operation of an Alabama Chiropractors' Hall of Fame Board, and to prescribe its powers and duties.

Senator Holmes, Chairperson of the Standing Committee on Small Business, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Senator Langford:

S. 165. To amend Sections 34-33-1, 34-33-2, 34-33-3, 34-33-4, 34-33-5, 34-33-6 and 34-33-10 of the Code of Alabama 1975, relating to fire protection sprinkler systems, so as to redefine such systems and to further regulate the fire protection sprinkler system business in this state.

Senator Covington, Chairperson of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Campbell (With Notice and Proof):

S. 13. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Hartselle, in Morgan County.

By Senator Smith (J) (With Notice and Proof):

S. 7. Relating to Madison County, providing a certain county supplement to the salary of each supernumerary circuit clerk in the Twenty-third Judicial Circuit payable from the county treasury.

By Senator Campbell (With Notice and Proof):

S. 10. Relating to Morgan County; authorizing and empowering the Morgan County commission and the governing bodies of the incorporated municipalities in such county to regulate and control through the issuance of permits the location of rock quarry blasting operations within the county.

By Senator Smith (J) (With Notice and Proof):

S. 115. Relating to Madison County; to exempt from all county, local or municipal ad valorem taxes all property owned and used by the Huntsville Land Trust, Incorporated.

By Senator Dial (With Notice and Proof):

S. 47. Relating to Chambers County, repealing Act No. 88-277, H. 314, enacted in the Regular Session of 1988, allowing the Chambers County Health Department to set fees for service.

By Senator Smith (J) (With Notice and Proof):

S. 65. Relating to Madison County; to authorize the county commission to designate an official county historian and appropriate an honorarium for same.

By Senator Bedford (With Notice and Proof):

S. 66. Relating to Lamar County, amending Act No. 82-114, H. 522, 1982 Regular Session, which provided for the compensation of certain county

officials, so as to increase the compensation of members of the board of registrars.

By Senator Bedford (With Notice and Proof):

S. 67. Relating to Lamar County, amending Act No. 82-114, H. 522, 1982 Regular Session, which provided for the compensation of certain county officials, so as to increase the compensation of members of the board of registrars.

By Senator Manley (With Notice and Proof):

S. 160. Relating to Marengo County; to create a license-issuing division within the probate judge's office for the issuance of certain licenses; to provide for the selection of personnel for such license-issuing division; to provide certain duties for the division; to provide for an optional procedure for the renewal of motor vehicle licenses in the county by mail; to authorize certain postal cost reimbursement plus a fee not to exceed \$1.00 pursuant to such system of renewal of motor vehicle licenses by mail; to prescribe more convenient and efficient procedures for assessing and collecting of certain taxes; the issuance of licenses by the probate judge's office; and to transfer certain duties now performed by the revenue commissioner to said probate office.

By Senator Hand (With Notice and Proof):

S. 180. Relating to Baldwin County; to prohibit the placing of signs, markers and advertising, pertaining to political campaigns, on state and county controlled highways except for those signs or markers placed by or under the authority of the state or county.

By Senator Hand (With Notice and Proof):

S. 182. Relating to Baldwin County; repealing Act No. 88-381, H. 969, 1988 Regular Session (Acts 1988, p. 569) which increased court costs and provided for the disposition of the proceeds from the increase.

By Senator Hand (With Notice and Proof):

S. 181. Relating to Baldwin County; providing further for the compensation of poll workers.

By Senator Sanders (With Notice and Proof):

S. 162. Relating to the City of Eutaw in Greene County; to alter, rearrange and extend the boundary lines and corporate limits of the municipality of Eutaw.

By Senator Sanders (With Notice and Proof):

S. 164. Relating to the City of Eutaw in Greene County; to alter, rearrange and extend the boundary lines and corporate limits of the municipality of Eutaw.

RESOLUTIONS

Senator Denton offered the following Senate Joint Resolution, to-wit:

S. J. R. 17. MEETING DAYS.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That when the two houses adjourn

today, Thursday, September 1, they adjourn to meet again on Friday, September 2, and when they adjourn on Friday, September 2, they adjourn to meet on Tuesday, September 6, and when they adjourn on Tuesday, September 6, they adjourn to meet again on Wednesday, September 7, and when they adjourn on Wednesday, September 7, they adjourn to meet again on Thursday, September 8, and when they adjourn on Thursday, September 8, they adjourn to meet again on Friday, September 9.

Which was read and referred to the Standing Committee on Rules.

Senators Smith (J) and Denton offered the following Senate Resolution, to-wit:

S. R. 18. MOURNING THE DEATH OF J. WILLARD SHELTON OF LAUDERDALE COUNTY, ALABAMA.

Which was filed.

Senator Smith (J) offered the following Senate Resolutions, to-wit:

S. R. 19. COMMENDING WILLIAM C. GREEN, JR., PUBLISHER OF THE HUNTSVILLE TIMES.

Also:

S. R. 20. MOURNING THE DEATH OF JOHN L. MCDANIEL OF DECATUR, ALABAMA.

Also:

S. R. 21. MOURNING THE DEATH OF JOHN BLUE, III, OF HUNTSVILLE, ALABAMA.

Which were filed.

BILLS ON THIRD READING

THE BILL:

S. 30. Relating to Etowah County; creating the Etowah County Senior Center Finance Authority; providing further for the care and services to certain elderly and disabled individuals; providing for the powers and duties of the members of the authority; providing for the composition and terms of the authority; prescribing the funding for the authority; exempting the authority from any and all local, county or state taxes of whatsoever nature, including gross receipts, sales and ad valorem; authorizing the authority to render services or to contract for services, goods, equipment and space; providing for the payment of the costs of establishing and maintaining multipurpose senior centers; authorizing the authority to issue bonds; and repealing any conflicting laws.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Foshee	Manley
Amari	Cabaniss	Goodwin	Menton
Bailey	Campbell	Hale	Parsons
Barron	Corbett	Hand	Preuitt
Bedford	Denton	Holmes	Rice
Bedsole	Dial	Horn	Sanders
Bennett	Drinkard		

—25

Nays:

—0

THE BILL:

S. 31. Relating to Etowah County; providing for the establishment of a consolidated and unified system for assessment and collection of taxes under the supervision of an elected county official designated as county revenue commissioner; providing for the compensation of such official; abolishing the offices of tax assessor and tax collector; repealing conflicting laws; and providing for a referendum thereon.

was taken up.

Senator Drinkard offered the following substitute for the Bill, S. B. 31, to-wit:

SUBSTITUTE FOR S. B. 31**A BILL
TO BE ENTITLED
AN ACT**

Relating to Etowah County; providing for the establishment of a consolidated and unified system for assessment and collection of taxes under the supervision of an elected county official designated as county revenue commissioner; providing for the compensation of such official; abolishing the offices of tax assessor and tax collector; repealing conflicting laws; and providing for a referendum thereon.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Commencing with the next term of office or upon the occurrence of a vacancy, for any reason whatsoever, in either the office of tax assessor or tax collector, there shall be a county revenue commissioner in Etowah County. Such commissioner shall be elected at the general election immediately preceding the expiration of the term of office, and at the general election every six years thereafter. The commissioner shall serve for a term of six years beginning on the first day of October next after election, and until the successor is elected and has qualified.

Section 2. The county revenue commissioner shall do and perform all acts, duties, and functions required by law to be performed by the tax assessor or by the tax collector of the county relative to the assessment of property for taxation, the collection of taxes, the keeping of records and the making of reports concerning assessment for and the collection of taxes.

Section 3. The county revenue commissioner shall appoint and fix the duties and compensation of a sufficient number of deputies, clerks, and assistants to perform properly the duties of his office. The acts of deputies shall have the same force and legal effect as if performed by the county revenue commissioner himself.

Section 4. Before entering upon the duties of his office, the county revenue commissioner shall take the oath of office prescribed by Article XVI of the Constitution of Alabama, and execute a bond in such sum as may be fixed by Section 40-5-3, Code of Alabama 1975, as amended, giving as security thereon a bonding company authorized to do business in Alabama. The bond shall be conditioned as other official bonds are conditioned and shall be approved by and filed with the judge of probate. The cost of the bond required herein shall be paid out of the general funds of the county on warrant of the county commission, and shall be a preferred claim against the county.

Section 5. The county commission shall provide the necessary offices for the county revenue commissioner, and shall provide all stationery, equipment, and office supplies, not otherwise furnished by law, needed for the efficient performance of the duties of the office.

Section 6. The county revenue commissioner shall collect and pay into the general fund of the county all fees, percentages, commissions and other allowances which the tax assessor or the tax collector of the county are now or hereafter may be by law authorized and directed to charge or collect for the performance of any duty hereby imposed on the county revenue commissioner. As compensation for the performance of the duties of his office, the county revenue commissioner shall receive an annual salary equal to sixty-five percent (65%) of the combined salaries of the tax assessor and tax collector, as provided by law, payable in equal monthly installments out of the general fund of the county.

Section 7. The offices of the tax assessor and tax collector of Etowah County are hereby abolished effective the first day of the next term of office, or upon the occurrence of a vacancy, for any reason whatsoever, in the office of tax assessor or tax collector. In the event that the office of tax assessor or tax collector becomes vacant before the next term, the office of county revenue commissioner shall immediately come into operation, and the remaining officer, tax assessor or tax collector, as the case may be, shall immediately assume the duties of the office of county revenue commissioner and shall perform such duties until a county revenue commissioner has been elected as provided herein. For the performance of such duties, he shall be entitled only to the salary herein above prescribed for the county revenue commissioner.

Section 8. The provisions of this act shall become operative in Etowah County, only if they are first approved by a majority of the qualified electors of said county who vote thereon in a referendum election to be held at the next general, special or constitutional election, or county-wide election. Said election may be held pursuant to the provisions of this act, at which time the question shall be submitted substantially as follows:

“Shall Act No. ____ of the 1988 Regular Session of the Legislature which provides for the abolition of the offices of tax assessor and tax collector of Etowah County and the consolidation of the duties of these officers into the one office to be known as the county revenue commissioner, be approved? Yes ____ No ____.”

If a majority of the votes cast at such election are “Yes” votes, then this act shall become effective as provided above. If a majority of the votes cast are “No” votes, this act shall have no further force or effect. The referendum election shall be held and conducted as nearly as may be in the same way as elections on amendments to the Constitution. Notice of the election shall be given by the county commissioners of Etowah County. Such notice shall be published once a week for three successive weeks before the day of the election. The judge of probate shall also certify the results of the election to the Secretary of State immediately after the returns have been certified.

Section 9. It is the purpose of this act to promote the public convenience in Etowah County by consolidating the offices of tax assessor and tax collector into one office.

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Section 10. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 11. All laws or parts of laws which conflict with this act are hereby repealed.

Section 12. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law, except as otherwise herein provided.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Foshee	Manley	
Amari	Cabaniss	Goodwin	Menton	
Bailey	Campbell	Hale	Parsons	
Barron	Corbett	Hand	Preuitt	
Bedford	Denton	Holmes	Rice	
Bedsole	Dial	Horn	Sanders	
Bennett	Drinkard			—25

Nays: —0

And said Bill, S. B. 31, as thus amended by the substitute, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Foshee	Manley	
Amari	Cabaniss	Goodwin	Menton	
Bailey	Campbell	Hale	Parsons	
Barron	Corbett	Hand	Preuitt	
Bedford	Denton	Holmes	Rice	
Bedsole	Dial	Horn	Sanders	
Bennett	Drinkard			—25

Nays: —0

THE BILL:

S. 9. Relating to Lawrence County, providing for an advisory referendum election relating to the manner of electing the members of the county commission.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Foshee	Manley	
Amari	Campbell	Goodwin	Menton	
Bailey	Denton	Hale	Parsons	
Barron	Dial	Hand	Preuitt	
Bedford	Dixon	Holmes	Rice	
Bedsole	Ellis	Horn	Sanders	
Bennett	Figures			—25

Nays: —0

THE BILL:

S. 11. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Decatur, in Morgan County.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Figures	Langford	
Amari	Campbell	Foshee	Manley	
Bailey	Denton	Hale	Menton	
Barron	Dial	Hilliard	Parsons	
Bedford	Dixon	Holmes	Preuitt	
Bedsole	Drinkard	Horn	Rice	
Bennett	Ellis			—25

Nays:

—0

THE BILL:

S. 12. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Hartselle, in Morgan County.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Figures	Langford	
Amari	Campbell	Foshee	Manley	
Bailey	Denton	Hale	Menton	
Barron	Dial	Hilliard	Parsons	
Bedford	Dixon	Holmes	Preuitt	
Bedsole	Drinkard	Horn	Rice	
Bennett	Ellis			—25

Nays:

—0

THE BILL:

S. 16. Proposing an amendment to the Constitution of Alabama of 1901 relating to authorizing the creation of a Franklin County Water Coordinating and Fire Prevention Authority by a general or a local act of the Legislature.

was read a third time at length as required by the Constitution and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	deGraffenried	Goodwin	Menton	
Bedford	Denton	Hale	Parsons	
Bennett	Dial	Hand	Rice	
Bishop	Dixon	Horn	Sanders	
Cabaniss	Ellis	Langford	Smith (B)	
Corbett	Figures	Manley	Smith (J)	
Covington	Foshee			—25

Nays:

—0

THE BILL:

S. 32. To propose a local constitutional amendment levying additional ad valorem taxes in Etowah County for senior citizen centers and county indebtedness; and to provide for the allocation of such revenues and a tax exemption for senior citizen centers operated in the county, subject to Amendment 425 to the Constitution of 1901.

was read a third time at length as required by the Constitution and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Hale	Manley	
Amari	Denton	Hand	Menton	
Bailey	Dial	Hilliard	Parsons	
Barron	Drinkard	Holmes	Preuitt	
Bedford	Figures	Horn	Rice	
Bedsole	Foshee	Langford	Sanders	
Bennett	Goodwin			—25

Nays:

—0

THE BILL:

S. 33. Providing for the filling of vacancies, for whatever nature, in the public offices in Etowah County; prescribing the election procedure for certain vacancies for more than one year remaining; prescribing the manner of operating any vacant office for an unexpired term of less than a year; and repealing conflicting laws.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Hale	Manley	
Amari	Denton	Hand	Menton	
Bailey	Dial	Hilliard	Parsons	
Barron	Drinkard	Holmes	Preuitt	
Bedford	Figures	Horn	Rice	
Bedsole	Foshee	Langford	Sanders	
Bennett	Goodwin			—25

Nays:

—0

THE BILL:

S. 25. Relating to Franklin County; to provide for additional expense allowances for members of the board of registrars and to provide for its retroactive effect.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

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Yeas 25; Nays 0.

Yeas:

Senators:	Covington	Foshee	Manley	
Bedford	deGraffenried	Goodwin	Menton	
Bennett	Denton	Hale	Parsons	
Bishop	Dial	Hand	Preuitt	
Cabaniss	Dixon	Horn	Rice	
Campbell	Ellis	Langford	Sanders	
Corbett	Figures			—25

Nays: —0

THE BILL:

S. 19. Proposing an amendment to the Constitution of Alabama of 1901 relating to authorizing the creation of a Fayette County Water Coordinating and Fire Prevention Authority by a general or a local act of the Legislature.

was read a third time at length as required by the Constitution and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Covington	Foshee	Manley	
Bedford	deGraffenried	Goodwin	Menton	
Bennett	Denton	Hale	Parsons	
Bishop	Dial	Hand	Preuitt	
Cabaniss	Dixon	Horn	Rice	
Campbell	Ellis	Langford	Sanders	
Corbett	Figures			—25

Nays: —0

THE BILL:

S. 18. Proposing an amendment to the Constitution of Alabama of 1901 relating to authorizing the creation of a Winston County Water Coordinating and Fire Prevention Authority by a general or a local act of the Legislature.

was read a third time at length as required by the Constitution and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Dial	Hale	Manley	
Amari	Dixon	Hand	Menton	
Bailey	Drinkard	Hilliard	Parsons	
Bedford	Ellis	Holmes	Preuitt	
Bennett	Figures	Horn	Rice	
Bishop	Foshee	Langford	Sanders	
Denton	Goodwin			—25

Nays: —0

THE BILL:

S. 17. Proposing an amendment to the Constitution of Alabama of 1901 relating to authorizing the creation of a Lamar County Water Coordinating and Fire Prevention Authority by a general or a local act of the Legislature.

was read a third time at length as required by the Constitution and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Dial	Hale	Manley	
Bedford	Dixon	Hand	Menton	
Bennett	Drinkard	Hilliard	Preuitt	
Bishop	Ellis	Holmes	Rice	
Cabaniss	Figures	Horn	Sanders	
Corbett	Foshee	Langford	Smith (J)	
Denton	Goodwin			—25

Nays: —0

THE BILL:

S. 54. To authorize the Jefferson County Board of Health to designate services rendered by the health department under its control for which fees may be charged and to establish the appropriate fee for each service; to authorize the Jefferson County Board of Health to charge and collect fees for services designated pursuant to this act; to provide that all fees established and collected pursuant to this act shall be retained and used by the Jefferson County Board of Health; to provide that all fees established and collected pursuant to this act shall not replace, but shall supplement and be in addition to, any and all federal, state and local funds otherwise provided to the Jefferson County Board of Health; to provide conditions applicable to the establishment and modification of fees authorized pursuant to this act; to authorize the Jefferson County Board of Health to adopt and to alter rules and regulations for the implementation and administration of this act and to provide that fees charged pursuant to this act shall be established, modified and collected in accordance with such rules and regulations; to provide that fees for services shall not be charged to persons unable to pay and to provide for confidentiality in the determination of any person's ability to pay; and to repeal all laws or parts of laws in conflict with this act to the extent applicable to Jefferson County.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 1.

Yeas:

Senators:	Covington	Figures	Manley	
Amari	deGraffenried	Foshee	Menton	
Barron	Denton	Goodwin	Rice	
Bedford	Dial	Hale	Sanders	
Bennett	Dixon	Hilliard	Smith (B)	
Cabaniss	Drinkard	Horn	Smith (J)	
Corbett	Ellis			—25

Nay: Senator Parsons —1

THE BILL:

S. 59. Relating to Jefferson County; to continue the office of Assistant Sheriff, Bessemer Division: to prescribe the duties, responsibilities and term; to provide for the appointment, qualifications and compensation of said office; to repeal all conflicting statutes; to provide for severability of the provisions of this act and to prescribe the effective date of such act.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 1.

Yeas:

Senators:	deGraffenried	Foshee	Menton
Amari	Denton	Goodwin	Parsons
Barron	Dial	Hale	Rice
Bedford	Dixon	Hilliard	Sanders
Bennett	Drinkard	Horn	Smith (B)
Corbett	Ellis	Manley	Smith (J)
Covington	Figures		

—25

Nay: Senator Cabaniss —1

THE BILL:

S. 61. Relating to Jefferson County; to prescribe for the compensation of the Chief Deputy Sheriff of Jefferson County and to provide for the payment thereof.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 1.

Yeas:

Senators:	deGraffenried	Foshee	Menton
Amari	Denton	Goodwin	Parsons
Barron	Dial	Hale	Rice
Bedford	Dixon	Hilliard	Sanders
Bennett	Drinkard	Horn	Smith (B)
Corbett	Ellis	Manley	Smith (J)
Covington	Figures		

—25

Nay: Senator Cabaniss —1

MESSAGE FROM THE HOUSE

Mr. President Pro Tem:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 37. COMMENDING EAGLE SCOUT JEFFERY A. EDWARDS OF CALHOUN COUNTY, ALABAMA.

Also:

H. J. R. 38. COMMENDING EAGLE SCOUT JOHN T. RITONDO, JR., OF CALHOUN COUNTY, ALABAMA.

Also:

H. J. R. 39. COMMENDING EAGLE SCOUT JEFFERY A. DAXE OF CALHOUN COUNTY, ALABAMA.

Also:

H. J. R. 41. COMMENDING MCCULLOUGH WILLIAMS FOR OUTSTANDING SERVICE.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Rep. Haynes:

H. 211. To make an appropriation for the support and maintenance of Talladega College for the fiscal year ending September 30, 1989.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 211—to the Committee on Finance and Taxation

BILLS ON THIRD READING RESUMED

THE BILL:

S. 1. To amend sections 25-4-72, 25-4-73, 25-4-76 and 25-4-77, Code of Alabama 1975, relating to the Unemployment Compensation Act effective for weeks within benefit years beginning on and after January 1, 1989, so as to increase maximum weekly unemployment benefits to \$145, compute such weekly benefits on the average of the covered wages paid to an individual during the two quarters of his base period in which such wages were highest.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 24; Nays 4.

Yeas:

Senators:	Covington	Ellis	Holmes
Amari	deGraffenried	Figures	Menton
Bailey	Denton	Foshee	Parsons
Bedsole	Dial	Goodwin	Preuitt
Bennett	Dixon	Hale	Smith (B)
Cabaniss	Drinkard	Hand	Smith (J)
Campbell			

—24

Nays:

Senators:	Hilliard	Langford	Sanders
Corbett			

—4

Senator Parsons moved that the Senate reconsider the vote by which the Bill, S. B. 1, was passed, which motion was lost.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Faulk:

H. 122. To propose a self-executing amendment to the Constitution of Alabama of 1901 relative to the compensation of the judge of probate of Crenshaw County.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 122—to the Committee on Local Legislation No. 1

The above Bill was read a first time at length as required by the Constitution.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Harper:

H. 33. To make an appropriation of \$750,000 from the Alabama Special Educational Trust Fund to the Alabama Shakespeare Festival for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 33—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Rep. Hogan:

H. 210. To make an appropriation for the support and maintenance of Walker County Junior College for the fiscal year ending September 30, 1989.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 210—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Harper:

H. 32. To make an appropriation of \$115,000 from the Alabama Special Educational Trust Fund to the League for the Advancement of Education for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 32—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Harper:

H. 36. To make an appropriation from the State General Fund and the Alabama Special Educational Trust Fund for the fiscal year 1988-89 for the use of a sickle cell education program.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 36—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Harper:

H. 29. To make a supplemental appropriation of \$1,000,000 from the Alabama Special Educational Trust Fund to the Alabama Commission on Higher Education for the EPSCoR program for the fiscal year ending September 30, 1988.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 29—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Junkins, Layson, Newman, Grouby, Bowling, Ford, Carothers, Buskey (JL), Bugg, Marks, Carter, Fuller, Mikell, Burke, Moon, Hogan, Williams, Dillard, McKee, White (L), McDowell, Rogers, Crow, White (F), Warren, Willis, Freeman, and Richardson:

H. 65. To provide a seven and one-half percent (7.5%) pay increase for certain public education employees with the beginning of the 1988-89 fiscal year; to provide a continuing pay increase provision for those teachers who have gained or may gain "continuing service status" or attain five years teaching experience in public schools and institutions; to define "continuing service status" for pay purposes only; to provide a seven and one-half percent (7.5%) increase for full-time personnel on all Salary Schedules in all public

two-year colleges; to grant two-year college personnel credit for prior work experience; to prescribe a manner for payment; to establish miscellaneous pay provisions; and to provide an effective date.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 65—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Rep. Johnson (RG):

H. 72. To make an appropriation for the support and maintenance of Sylacauga Nurses Training School for the fiscal year ending September 30, 1989.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 72—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Reps. White (L) and Turnham:

H. 21. To make an appropriation for the support and maintenance of Lyman Ward Military Academy for the fiscal year ending September 30, 1989.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 21—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Rep. Reed:

H. 153. To make an appropriation for the support and maintenance of Tuskegee University for the fiscal year ending September 30, 1989.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 153—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Rep. Bryant:

H. 200. To make an appropriation for the support and maintenance of Marion Military Institute for the fiscal year ending September 30, 1989.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 200—to the Committee on Finance and Taxation

**REPORT OF
COMMITTEE ON RULES**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following engrossed Senate Bill with the original Senate Bill, and finds same correctly engrossed, to-wit:

S. 31. Relating to Etowah County; providing for the establishment of a consolidated and unified system for assessment and collection of taxes under the supervision of an elected county official designated as county revenue commissioner; providing for the compensation of such official; abol-

ishing the offices of tax assessor and tax collector; repealing conflicting laws; and providing for a referendum thereon.

BILL DRINKARD,
Chairperson.

BILLS ON THIRD READING RESUMED

THE BILL:

S. 2. To amend Sections 22-27-3 and 22-27-6, Code of Alabama 1975, which relate to the authority of local governing bodies as to methods of waste collections and disposal, and the time for local government compliance with the solid waste laws so as to provide further for the methods of waste collection and disposal facilities for solid wastes; to grant to the several county commissions and municipalities the power and authority by resolution or ordinance to adopt rules and regulations requiring mandatory public participation in solid waste collection and disposal programs; providing that failure to comply with the provisions of the article by the owner of solid waste generating property shall constitute a public nuisance and providing for the assessment for the cost of such collection and disposal against such solid waste generating property; to provide for the collection of such assessments; to provide that the amounts of such assessments shall be a lien on the property against which they are assessed and shall be subject to the same penalties and the same procedure under foreclosure and sale in case of delinquency as provided for ordinary county taxes; and to amend Section 22-27-7, Code of Alabama 1975, which relates to penalties for violation of the provisions of the article so as to further provide for such penalties.

was taken up.

ADJOURNMENT

At 5:30 P.M., on motion of Senator Corbett, in accordance with Motion heretofore adopted, and pending further consideration of the Bill, S. B. 2, the Senate adjourned until Friday, September 2, 1988, at 11 o'clock A.M.

Yeas 15; Nays 11.

Yeas:

Senators:	Bishop	Dixon	Langford	
Bailey	Cabaniss	Ellis	Preuitt	
Barron	Corbett	Goodwin	Sanders	
Bedford	Covington	Horn	Smith (B)	—15

Nays:

Senators:	deGraffenried	Drinkard	Hand	
Bedsole	Denton	Foshee	Manley	
Campbell	Dial	Hale	Menton	—11

FOURTH LEGISLATIVE DAY
FRIDAY, SEPTEMBER 2, 1988

The Senate met pursuant to adjournment, Lieutenant Governor Folsom presiding.

PRAYER

The Session was opened with prayer by the Reverend Jiles Williams, Pastor, New Providence Baptist Church, Montgomery, Alabama.

PLEDGE OF ALLEGIANCE

The Senators were led in the Pledge of Allegiance to the Flag of the United States of America by Tori Bonner, Smith Station High School, Smith Station, Alabama.

ROLL CALL

Present:

Senators:	Cabaniss	Drinkard	Langford
Amari	Campbell	Ellis	Manley
Bailey	Corbett	Foshee	Menton
Barron	Covington	Goodwin	Parsons
Bedford	deGraffenried	Hale	Preuitt
Bedsole	Denton	Hand	Rice
Bennett	Dial	Holmes	Sanders
Bishop	Dixon	Horn	Smith (J)

—31

JOURNAL

On motion of Senator deGraffenried, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

**REPORT OF COMMITTEE
ON RULES ON
REVISION OF THE JOURNAL**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Third Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

BILL DRINKARD,
Chairperson.

COMMITTEE REPORT

On motion of Senator Drinkard, the foregoing report was concurred in and the Journal of the Senate for the Third Legislative Day was approved by the Senate.

LEAVE OF ABSENCE

On motion of Senator deGraffenried, leave of absence was granted Senators Figures, Hilliard, Mitchem, and Smith (B) for today.

INTRODUCTION OF BILLS

Upon the call of districts, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Senator Smith (J):

S. 195. To amend Sections 16-28-3, 16-28-4, 16-28-7, and 16-28-9, Code of Alabama, 1975, relating to school attendance, enrollment, and reporting dates so as to change the enrollment cutoff date from October 1 to September 1; to adjust the required reporting dates accordingly; and to change the compulsory attendance age.

Committee on Education.

By Senators Dixon, Horn, Drinkard, Barron, Bedsole, and deGraffenried:

S. 196. To amend section 29-2-41, Code of Alabama 1975, which relates to the Contract Review Permanent Legislative Oversight Committee, so as to provide further for the committee's authority to review state contracts.

Committee on Governmental Affairs.

By Senator Bedsole:

S. 197. To amend the 1975 Code of Alabama, sections 41-15-2 through 41-15-9 and 41-15-11 to provide increased discounts for all insured, to clarify other provisions relating to the duties and responsibilities of the State Insurance Fund.

Committee on Banking and Insurance.

By Senator Bedsole:

S. 198. To allow as a cost saving measure the State of Alabama to purchase a blanket bond to cover all notaries public within state government, to provide for the termination of an employee's notary commission upon separation from state government, to require notification and to relieve the probate judge of certain liability.

Committee on Governmental Affairs.

RESOLUTION

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

S. R. 22. SPECIAL ORDER CALENDAR.

RESOLVED BY THE SENATE That the following bills in the order named shall be the paramount and continuing order of business taking precedence over all other matters upon reaching bills on third reading for the fourth legislative day of the 1988 First Special Session only:

Inst Id	Page
1. Unfinished Business	
S. 24	2
Water System Assistance Authority estab., powers, duties, auth. issue bonds, Economic and Community Affairs Dept., to admin. funds, coordinate water shortage crisis	
S. 74	14
Marion Military Institute, approp.	

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S. 80	14
Talladega College, approp.	
S. 148	21
Veterans' Home, Veterans Affairs Dept. auth. to estab. and operate, fund estab.	
S. 149	20
Veterans homes operated by st., income tax checkoff to fund auth.	
S. 34	13
Coosa-Ala River Improvement Assn, approp.	
S. 85	14
Lyman Ward Military Academy, approp.	
S. 172	22
Sheriffs, comp. incr., Sec. 36-22-16 am'd.	
S. 94	22
Law enforcement officers, retired officers auth. to carry handgun, card authorization changed from annual to permanent basis, Sec. 36-21-9 am'd.	
S. 87	15
Walker County Junior College, approp.	
S. 91	15
Sylacauga Nurses Training School, approp.	
S. 35	3
Regional Reciprocal Banking Act, state of Texas added to definition of region, Sec. 5-13A-2 am'd.	
S. 57	2
Legislative session, annual bipartite, first part for budgets, Amend. No. 339 am'd., Amend. No. 448 repealed, consti. amend.	
S. 93	16
Children's Hospital—UAB, approp.	
S. 71	16
Sickle Education Program, approp.	
S. 6	5
Child sexual abuse cases, out-of-court testimony by child admissible in court in cert. instances	
S. 73	16
Southern Research Institute, approp.	

S. 169	17
Tuskegee University, approp.	
S. 185	17
Children and womens hospital, approp.	
S. 60	18
Shakespeare Festival, approp.	

On motion of Senator Drinkard, the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 2. COMMITTEE APPOINTED TO ESCORT GOVERNOR TO JOINT SESSION OF LEGISLATURE.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Breedlove, Hamilton, Knight, Hammett, Cosby, and Laird:

H. 276. To provide for the department of public safety to furnish criminal history record searches of convictions within the state of Alabama whenever allowed by law and to establish a fee for providing the same.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 276—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Rep. Black (With Notice and Proof):

H. 170. To authorize the Greene County Board of Health to designate the services rendered by the County Health Department for which a reasonable fee may be charged and to set the appropriate fee for each service. No citizen shall be denied any service because of that person's inability to pay.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 170, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Rep. Harvey (With Notice and Proof):

H. 215. Relating to Blount County; to provide further for fire districts within the county.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 215, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,
Clerk.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 170 and 215—to the Committee on Local Legislation No. 1

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Rep. Lindsey:

H. 234. To provide for revisions to the Code of Alabama 1975, dealing with ad valorem taxation, so as to offer equity and equalization in administration of ad valorem taxes, by amending the following code sections successively: Section 40-7-23, Code of Alabama 1975, as amended, to establish requirements under which a taxpayer may avoid the statutory ten percent penalty normally assessed on escaped tangible personal property ad valorem taxes, for the tax years ending on or before September 30, 1988, and to waive, upon the taxpayer's fulfilling the requirements of Section 40-7-23, the taxpayer's ad valorem tax liability on tangible personal property so assessed

for the tax years ending on or before September 30, 1987; Sections 40-7-1, 40-8-1, 40-11-1, 40-12-240, 40-12-255 and 40-12-256, Code of Alabama 1975, to provide for assessment and payment of ad valorem taxes by owners of mobile homes the same as other real property and personal property owners, to identify the class of assessment for travel trailers, to eliminate the requirement for owners of mobile homes to purchase a license tag and pay the \$3.00 registration fee, to provide for the uniform identification and assessment of mobile homes, to authorize the commissioner of revenue to require that certain mobile home and ad valorem tax information be reported by real property owners on forms and through procedures prescribed by the commissioner of revenue, to require any public or private entity that provides or sells any gas or electric services to provide to the county tax assessing official, at least monthly, a list containing each mobile home to which such entity has connected gas or electric service in the county during the preceding period, together with the name of the occupant and the location of the connection, to authorize the commissioner of revenue to promulgate rules and regulations necessary to carry out the provisions of this act and to make certain grammatical and clarifying changes; Sections 40-5-9, 40-10-21, 40-10-75, 40-10-76, 40-10-77, 40-10-83, 40-10-121, 40-10-122, and 40-10-132, Code of Alabama 1975, to increase the interest rate on delinquent ad valorem taxes and on taxes paid upon redemption; and by amending Section 40-7-21, Code of Alabama 1975, establishing the class of misdemeanor for failure or refusal to provide information deemed essential to assessment of property and to authorize proper authority to audit, examine, and inspect records and property, as needed, to enforce the assessment and collection of ad valorem taxes.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 234—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Crow, Richardson, Mikell, Breedlove, Willis, Hogan, McKee, Curry, Hooper, Gray, McDowell, Gaston, White (G), Seibels, and Beasley:

H. 142. To amend section 32-7-4, Code of Alabama 1975, relating to fees for abstracts of driving records, so as to increase the fee for an abstract of a driving record from \$4.00 to \$5.50.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 142—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Hooper, Hamilton, Cosby, Dillard, Bowling, McMillan, Mikell, Flowers, Logan, Petelos, Turnham, Curry, Walker, Fuller, Knight, Newton, Perdue, Moon, Kvalheim, Drake, White (G), and Hammett:

H. 138. To provide that the alcoholic beverage control board shall under certain conditions audit and collect certain taxes on beer or table wine levied for the benefit of local governing bodies.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 138—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Laird, Drake, White (F), Richardson, Ford, Junkins, Mikell, Johnson (RG), Johnson (RW), Turner, Haynes, Walker, Turnham, Carter, Beasley, Layson, Bryant, Black, Penry, Carothers, Hammett, Breedlove, Faulk, Williams, and Harvey:

H. 188. To amend sections 25-4-72, 25-4-73, 25-4-76 and 25-4-77, Code of Alabama 1975, relating to the Unemployment Compensation Act effective for weeks within benefit years beginning on and after January 1, 1989, so as to increase maximum weekly unemployment benefits to \$145, compute such weekly benefits on the average of the covered wages paid to an individual during the two quarters of his base period in which such wages were highest.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 188—to the Committee on Business and Labor Relations

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Newton:

H. 26. To amend section 32-2-8, Code of Alabama 1975, relating to fees charged for copies of records of the Department of Public Safety, so as to increase the fee charged for a copy of any record in the files of the department of public safety.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 26—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Hettinger:

H. 233. To impose an excise tax on illegal possession, distribution, sales, use and other transactions involving certain drugs or controlled substances and to provide for disposition of the proceeds of the tax; and to provide for criminal penalties for violating this act.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 233—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Reps. Hill and Knight (With Notice and Proof):

H. 160. Relating to Shelby County; to provide further for the compensation of certain poll officials and poll workers.

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I hereby certify that the Notice & Proof is attached to the Bill, H. B. 160, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Rep. Laird (With Notice and Proof):

H. 278. Relating to Randolph County, repealing Act No. 88-328, H. 857, enacted in the Regular Session of 1988, allowing the Randolph County Health Department to set fees for service.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 278, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,
Clerk.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 160 and 278—to the Committee on Local Legislation No. 1

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Rep. White (F) (With Notice and Proof):

H. 90. Relating to the twenty-first judicial circuit, Escambia County, Alabama; providing further for expense allowances and equalizing expense allowances for the presiding circuit judge, circuit judge No. 2 and the district judge of the circuit; providing for such expense allowances to be payable from the county treasury.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 90, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Rep. White (F) (With Notice and Proof):

H. 183. Relating to Escambia County; there is hereby levied a county privilege, license or excise tax on the sale, distribution, storage, use or other consumption of cigarettes in such county; providing for the collection and enforcement of the tax; and appropriating the proceeds therefrom.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 183, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,
Clerk.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 90 and 183—to the Committee on Local Legislation No. 1

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Reps. Williams and Flowers (With Notice and Proof):

H. 281. Relating to Dale County; providing for the establishment of a consolidated and unified system of assessment and collection of taxes under the supervision of an elective county official designated as county revenue commissioner; prescribing the powers, duties, term of office and compensation of said county revenue commissioner, and providing for his election; abolishing the county offices of tax assessor and tax collector in Dale County; repealing conflicting laws; and prescribing the effective date of this act.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 281, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Rep. Venable (With Notice and Proof):

H. 294. Relating to Elmore County; to amend Act No. 84-634 of the 1984 Regular Session relating to the compensation of members of the county commission, so as to alter the amount of said compensation.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 294, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,
Clerk.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 281 and 294—to the Committee on Local Legislation No. 1

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Reps. Grayson, Butler, and Freeman (With Notice and Proof):

H. 75. To alter, extend, rearrange and redefine the boundaries and corporate limits of the City of Huntsville in Madison County, annexing certain territory to the city.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 75, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Rep. Hettinger (With Notice and Proof):

H. 176. Relating to the City of Huntsville in Madison County; to authorize the Huntsville Board of Education and the Huntsville City Council to agree to qualify, run for office, and be elected from the same geographical districts, and to allow the said Board and Council to agree to have five or more such districts.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 176, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,
Clerk.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 75 and 176—to the Committee on Local Legislation No. 1

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Flowers:

H. 205. To amend Sections 32-8-6, 32-8-7 and 32-8-87, Code of Alabama 1975, relating to the Uniform Certificate of Title and Theft Act, so as to simplify the motor vehicle title transaction fee schedule; to increase certain commissions and fees for services rendered; and to clarify inspection procedures for obtaining titles for rebuilt vehicles.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 205—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Newton:

H. 23. To amend section 32-6-15, Code of Alabama 1975, relating to fees for duplicate drivers' licenses, so as to increase the fee for a duplicate of lost or destroyed licenses.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 23—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Johnson (RW), Ford, Junkins, Mikell, Haynes, Walker, Turnham, and Laird:

H. 163. Relating to employment security programs of the Department of Industrial Relations so as to provide for an assessment of 0.06% against wages paid by certain employers for a three-year period beginning January 1, 1989 and ending December 31, 1991; to provide for the collection, appropriation and disbursement of such assessment, and to provide for the establishment of the "Employment Security Administration Enhancement Fund" in the state treasury; to amend Sections 25-4-31, 25-4-54 and 25-4-143, Code of Alabama 1975, as amended, all relating to the Unemployment Compensation Trust Fund, so as to provide for a reduction of 0.06% in the rates of unemployment compensation contributions of certain employers effective for calendar years beginning on January 1, 1989 and ending on December 31, 1991, to provide for the appropriation of this and other revenue and for the transfer from the clearing account certain moneys into certain separate special funds in the state treasury.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 163—to the Committee on Business and Labor Relations

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Hamilton, Hooper, Cosby, Dillard, Mikell, Breedlove, Bowling, Marks, Williams, Laird, Richardson, Moon, Grouby, Blakeney, Turner, White (G), White (L), Hammett, McMillan, McKee, Penry, Turnham, Curry, Petelos, Layson, Wright, Walker, Perdue, Starkey, Goodwin, Beers, Spratt, Hill, Newton, Gray, Adams, Logan, Knight and Willis:

H. 152. To provide for a service fee of \$50.00 per hour payable to the state general fund for the services of any officer or employee of any state department, agency, board or commission who is subpoenaed to furnish testimony in his or her official capacity through depositions or otherwise assists in any civil proceeding in which the employee or department is not a party.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 152—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Knight:

H. 147. To amend Section 35-12-38, Code of Alabama 1975, so as to permit stocks in custodial possession of the state to be sold through an established stock exchange or over the counter at prevailing prices and to permit the redemption of government and corporate bonds that have reached maturity.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 147—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. White (L):

H. 10. To require the state department of human resources to charge a fee in the amount of \$1,000.00 to be assessed as costs against the petitioners for investigation services performed in certain independent cases involving adoption; and to require that said fees shall be deposited in the state treasury to the credit of state general fund.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 10—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Buskey (JL):

H. 222. Relating to the Alabama Sunset Law; to continue the existence and functioning of the board of heating and air conditioning contractors as provided in Sections 34-31-18 through 34-31-34, Code of Alabama 1975, with certain modifications; to amend Sections 34-31-18, 34-31-19, 34-31-21(g), 34-31-24, 34-31-28 and 34-31-31, Code of Alabama 1975, so as to: distinguish the function of install from service and repair; to delete all references to "registered" contractors; to correct an erroneous code subsection reference; and to provide further for the exemption period for taking examinations of the board for certain contractors having at least two years of experience (grandfather clause).

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 222—to the Committee on Governmental Affairs

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Campbell:

H. 285. To propose an amendment to the Constitution of Alabama of 1901, to authorize the governing body of the City of Anniston in Calhoun County to appropriate public funds to the East Alabama United Cerebral Palsy Center.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 285—to the Committee on Local Legislation No. 1

The above Bill was read a first time at length as required by the Constitution.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Hooper, Hamilton, Cosby, Dillard, Bowling, McMillan, Turnham, Mikell, Logan, Petelos, Curry, Fuller, Knight, Newton, Perdue, Moon, Kvalheim, McKee, Drake, White (G), and Hammett:

H. 120. To amend section 8-6-3, Code of Alabama 1975, relating to registration of securities dealers and salesmen, so as to increase the fees for registration of dealers and salesmen and to make the fees nonrefundable.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 120—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Reps. Turnham and Higginbotham (With Notice and Proof):

H. 124. To authorize an additional county salary supplement for the District Attorney of the Thirty-Seventh Judicial Circuit; to provide that the provisions of this act shall be effective October 1, 1988.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 124, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Rep. Hettinger (With Notice and Proof):

H. 231. Relating to Madison County; to exempt from all county, local or municipal ad valorem taxes all property owned and used by the Huntsville Land Trust, Incorporated.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 231, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,
Clerk.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 124 and 231—to the Committee on Local Legislation No. 1

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. White (L):

H. 11. To require the state department of human resources to charge a fee at a certain hourly rate to be assessed as costs against the parties for investigation services performed in cases involving divorce or divorce modifications, and to require that said fees shall be deposited in the state treasury to the credit of the state general fund.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 11—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Johnson (RG) and Carothers:

H. 209. To amend section 32-6-17, Code of Alabama 1975, relating to driver's license fees, so as to increase the reinstatement fee, to make the fee applicable for each action and to require the licensee, upon reinstatement, to obtain a duplicate license with a new photograph and current personal data to ensure that the records of the department of public safety are kept up-to-date.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 209—to the Committee on Finance and Taxation

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
Alabama State House
Montgomery, Alabama

Lady and Gentlemen:

I herewith transmit to you a message from the Governor relative to the Alabama State University Board of Trustees.

Respectfully submitted,
JAMES F. REDDOCH, JR.,
Executive Secretary.

Done this 31st day of August, 1988.

To the Senate of Alabama
Alabama State House
Montgomery, Alabama

Lady and Gentlemen:

I have appointed, subject to your confirmation, Mr. Thomas T. Gallion, III of Montgomery, Alabama, to the Alabama State University Board of Trustees, for the term expiring on January 31, 1990.

Respectfully submitted,
GUY HUNT,
Governor.

Done this 31st day of August, 1988.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Board of Trustees, Alabama State University, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
Alabama State House
Montgomery, Alabama

Lady and Gentlemen:

I herewith transmit to you a message from the Governor relative to the Educational Television Commission.

Respectfully submitted,
JAMES F. REDDOCH, JR.,
Executive Secretary.

Done this 31st day of August, 1988.

To the Senate of Alabama
Alabama State House
Montgomery, Alabama

Lady and Gentlemen:

I have appointed, subject to your confirmation, Mrs. Ann Weaver Delchamps of Mobile, Alabama, to the Educational Television Commission to fill the unexpired term of Mr. T. T. Martin who has resigned, for the term expiring June 25, 1993.

Respectfully submitted,
GUY HUNT,
Governor.

Done this 31st day of August, 1988.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Educational Television Commission, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
Alabama State House
Montgomery, Alabama

Lady and Gentlemen:

I herewith transmit to you a message from the Governor relative to the Educational Television Commission.

Respectfully submitted,
JAMES F. REDDOCH, JR.,
Executive Secretary.

Done this 31st day of August, 1988.

To the Senate of Alabama
Alabama State House
Montgomery, Alabama

Lady and Gentlemen:

I have appointed subject to your confirmation Dr. Dannetta K. Thornton to the Educational Television Commission, replacing Sarah Summerville, for the term expiring June 25, 1997.

Respectfully submitted,

GUY HUNT,
Governor.

Done this 31st day of August, 1988.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Educational Television Commission, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
Alabama State House
Montgomery, Alabama

Lady and Gentlemen:

I herewith transmit to you a message from the Governor relative to the Educational Television Commission.

Respectfully submitted,

JAMES F. REDDOCH, JR.,
Executive Secretary.

Done this 31st day of August, 1988.

To the Senate of Alabama
Alabama State House
Montgomery, Alabama

Lady and Gentlemen:

I have appointed, subject to your confirmation Mr. Tom Jackson of Birmingham, Alabama, to the Educational Television Commission, for the term expiring on June 25, 1996, replacing Mr. Bill Melson.

Respectfully submitted,

GUY HUNT,
Governor.

Done this 31st day of August, 1988.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Educational Television Commission, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
Alabama State House
Montgomery, Alabama

Lady and Gentlemen:

I herewith transmit to you a message from the Governor relative to the Alabama Trust Fund.

Respectfully submitted,
JAMES F. REDDOCH, JR.,
Executive Secretary.

Done this 31st day of August, 1988.

To the Senate of Alabama
Alabama State House
Montgomery, Alabama

Lady and Gentlemen:

I have appointed, subject to your confirmation, Mr. Louis J. Willie of Birmingham, Alabama to the Alabama Trust Fund, for the term expiring October 1, 1993.

Respectfully submitted,
GUY HUNT,
Governor.

Done this 31st day of August, 1988.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Alabama Trust Fund, was read and referred to the Standing Committee on Rules.

**COMMUNICATION FROM
STATE DEPARTMENT OF ARCHIVES AND HISTORY**

August 29, 1988

The Honorable McDowell Lee
Secretary of the Senate
Senate Chamber
Alabama State House
Montgomery, AL 36130

Dear Mr. Lee:

On August 17, 1988, the Trustees of the Alabama Department of Archives and History reelected Dr. McDonald Hughes from the Seventh District as a member of the Board for a new six-year term beginning January 1, 1989 and ending December 31, 1995. In accordance with Alabama law (Code 41-6-4), we are communicating the results of this election to you so that Dr. Hughes may be confirmed by the Senate.

Please let us know if you need any additional information. We will

appreciate your help in bringing the result of this election before the Senate during the next session.

Sincerely,

EDWIN C. BRIDGES,
Director.

COMMUNICATION RECEIVED

The foregoing Communication from the Department of Archives and History, relative to an election to the Board of Trustees, was read and referred to the Standing Committee on Rules.

**COMMUNICATION FROM
STATE DEPARTMENT OF ARCHIVES AND HISTORY**

August 29, 1988

The Honorable McDowell Lee
Secretary of the Senate
Senate Chamber
Alabama State House
Montgomery, AL 36130

Dear Mr. Lee:

On August 17, 1988, the Trustees of the Alabama Department of Archives and History reelected Judge C. J. Coley from the Third District as a member of the Board for a new six-year term beginning January 1, 1989 and ending December 31, 1995. In accordance with Alabama law (Code 41-6-4), we are communicating the results of this election to you so that Judge Coley may be confirmed by the Senate.

Please let us know if you need any additional information. We will appreciate your help in bringing the result of this election before the Senate during the next session.

Sincerely,

EDWIN C. BRIDGES,
Director.

COMMUNICATION RECEIVED

The foregoing Communication from the Department of Archives and History, relative to an election to the Board of Trustees, was read and referred to the Standing Committee on Rules.

**REPORT OF THE JUDICIAL COMPENSATION COMMISSION
TO THE 1988 FIRST SPECIAL SESSION OF THE ALABAMA
LEGISLATURE**

The State Judicial Compensation Commission hereby files its report to the 1988 First Special Session of the Legislature of the State of Alabama which convenes August 30, 1988.

The Commission has considered the matter of recommending the salary to be paid from the state treasury for all judges except probate and municipal judges.

The Commission notes that the most recent salary adjustment for circuit judges and state employees was on October 1, 1984, the effective date of the last cost-of-living raise.

Accordingly, it is recommended to the legislature that the salaries of justices and judges of the appellate and district courts to be paid from the state treasury be fixed as last designated by law; and that the salaries of the circuit court judges to be paid from the state treasury be fixed as follows:

Circuit Court Judges

- Beginning on October 1, 1988. An amount which will constitute a five percent (5%) increase. This would equal \$55,440.
- Beginning on October 1, 1989. An amount which will constitute an eight percent (8%) increase on October 1, 1989. This would equal \$59,875.
- Beginning on October 1, 1990. An amount which will constitute a ten percent (10%) increase on October 1, 1990. This would equal \$65,863.

In making this recommendation, the commission took into consideration the following information:

(1) The latest judicial salary information available indicates the current average state-paid annual salary for general jurisdiction trial court judges in the eleven southeastern states is \$67,823 with Alabama's the lowest as set out herein: Virginia—\$81,959, Florida—\$81,902, South Carolina—\$79,690, North Carolina—\$69,180, Louisiana—\$68,569, Georgia—\$67,158, Arkansas—\$61,513, Kentucky—\$61,481, Mississippi—\$61,200, Tennessee—\$60,600, Alabama—\$52,800.

(2) While many state employees in the merit system are eligible for annual merit or step raises of up to five percent annually, judges are not eligible for any similar salary adjustments.

(3) There are currently 65 positions in the classified service of the state that provide a top salary level above the state salary of a circuit judge and some of these positions authorize entry level pay in excess of the state salary of a circuit judge.

ADOPTED by the affirmative vote of the below named four members of the State Judicial Compensation Commission.

BROOX G. GARRETT,
CHAS. ADAIR, JR.,

Not present at Meeting.
CHARLES WOODS,

FINIS E. ST. JOHN, IV,
ISAAC P. ESPY,

JUDICIAL COMPENSATION COMMISSION REPORT

The foregoing report of the Judicial Compensation Commission was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Rep. Beasley:

H. J. R. 42. NAMING THE BRIDGE ON STATE HIGHWAY 27, SOUTHWEST OF ABBEVILLE, ALABAMA, THE "CURETON BRIDGE".

Also:

By Reps. Bugg, Ford, and Junkins:

H. J. R. 52. COMMENDING MRS. MAE BELLE YANCEY FOR DISTINGUISHED SERVICE TO ETOWAH COUNTY'S DUCK SPRINGS ELEMENTARY SCHOOL.

Also:

By Reps. Bugg, Ford, and Junkins:

H. J. R. 53. COMMENDING DAN S. MALONE OF GADSDEN, ALABAMA.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolutions, H. J. R.'s 42, 52, and 53, set out in the foregoing Message from the House, were read and referred to the Standing Committee on Rules.

REPORTS OF COMMITTEES

Senator Drinkard, Chairperson of the Standing Committee on Banking and Insurance, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator deGraffenried:

S. 98. To amend Section 5-19-4, Code of Alabama 1975, relating to consumer finance, so as to require actuarial method of computation on consumer loans and consumer credit sales with an original term of more than 61 months and to clarify method of refund in all other cases.

By Senator Bailey:

S. 112. To mandate conversion rights for an employee or a member or his or her dependents under a group policy delivered or issued for delivery in this state which provides hospital, surgical or major medical expense insurance or any combination thereof, when said employee or member dies or when said employee's, member's or a dependent's group insurance has been terminated for any reason except: (a) nonpayment of any required contribution; or (b) replacement of any discontinued group coverage with similar group coverage within 31 days; to prescribe certain minimum benefit

levels and the scope of coverage to be contained within the converted policy; to allow for termination of coverage under the converted policy due to an insured becoming eligible for Medicare coverage or coverage under any other group policy or plan; and to allow for optional group coverage in lieu of the issuance of a converted individual policy.

Senator Horn, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Harper:

H. 29. To make a supplemental appropriation of \$1,000,000 from the Alabama Special Educational Trust Fund to the Alabama Commission on Higher Education for the EPSCoR program for the fiscal year ending September 30, 1988.

By Rep. Harper:

H. 32. To make an appropriation of \$115,000 from the Alabama Special Educational Trust Fund to the League for the Advancement of Education for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

By Senator Horn:

S. 78. To make an appropriation of \$100,000 from the State General Fund to America's Junior Miss Pageant, Inc. for the fiscal year ending September 30, 1989.

By Senators Bennett and Dial:

S. 132. To make appropriations from the general fund of the state treasury for the creation of the "Alabama Hazardous Substance Cleanup Fund"; to provide that such fund shall be used for the cleanup and restoration of abandoned or inactive sites at which improper disposal of hazardous substances has occurred; to plan and undertake the rehabilitation, removal and cleanup of hazardous substances deposited improperly at sites located within Alabama; to provide that this fund shall be used for sites not qualified for or unlikely to receive funding for cleanup from funds designated for cleanups under the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. §§9601 et seq.; to provide state matching funds for cleanups under the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended; to provide that the fund shall be administered by the Alabama Department of Environmental Management; to provide that the sites within the state shall be ranked according to their relative threats and the fund applied to the sites in the order of that ranking; to direct the Alabama Department of Environmental Management to secure other funds whenever possible; to provide for future appropriations to the fund; to provide for civil penalties against violators; to limit the maximum penalty; and to provide that said appropriations shall be supplemental to any and all other funds.

By Reps. Junkins, Layson, Newman, Grouby, Bowling, Ford, Carothers, Buskey (JL), Bugg, Marks, Carter, Fuller, Mikell, Burke, Moon, Hogan, Williams, Dillard, McKee, White (L), McDowell, Rogers, Crow, White (F), Warren, Willis, Freeman, and Richardson:

H. 65. To provide a seven and one-half percent (7.5%) pay increase for certain public education employees with the beginning of the 1988-89

fiscal year; to provide a continuing pay increase provision for those teachers who have gained or may gain "continuing service status" or attain five years teaching experience in public schools and institutions; to define "continuing service status" for pay purposes only; to provide a seven and one-half percent (7.5%) increase for full-time personnel on all Salary Schedules in all public two-year colleges; to grant two-year college personnel credit for prior work experience; to prescribe a manner for payment; to establish miscellaneous pay provisions; and to provide an effective date.

By Reps. Harper, Adams, and Wright:

H. 28. To make annual appropriations for the support, maintenance and development of public education in Alabama and for debt service and capital improvements for the fiscal year ending September 30, 1989.

Senator Dial, Chairperson of the Standing Committee on Commerce, Transportation, and Utilities, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Amari:

S. 191. To amend Sections 11-98-2, 11-98-4 and 11-98-5 of the Code of Alabama 1975, relating to emergency telephone service so as to provide further for procedures relating to the creation of communications districts; to provide further for personnel employed in such districts; to prescribe the corporate structure and organization of such districts, including their corporate powers and to provide that such districts may receive certain property and make certain expenditures.

By Senator Covington:

S. 117. To amend §37-1-11 of the Code of Alabama 1975, to further provide for the salaries of the president and associate commissioners of the Alabama Public Service Commission.

Senator Hilliard, Chairperson of the Standing Committee on Local Legislation No. 2, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Horn (With Notice and Proof):

S. 90. Relating to the composition of the board of directors of that certain public corporation, the Alabama State Fair Authority, created by Act No. 215, 1947 General Acts of Alabama; amending Section 4 of Act No. 215, S. 278, Regular Session 1947 (General Acts of Alabama of 1947, p. 81), as amended, which relates to the composition of the board of such authorities in certain cities having a certain population in Jefferson County, so as to increase the number and providing the manner of their selection.

By Senators Bennett, Cabaniss, and Parsons (With Notice and Proof):

S. 127. Relating to Jefferson County; to provide for the appointment of a Chief Deputy Tax Collector by the elected Jefferson County Assistant Tax Collector, Bessemer Division, and to provide for compensation, funding and qualifications of said Chief Deputy.

By Senators Bennett, Cabaniss, and Parsons (With Notice and Proof):

S. 128. To provide for the appointment of a chief deputy tax collector by the elected Jefferson County tax collector and to provide for compensation, funding and qualifications of said chief deputy.

By Senator Hilliard (With Notice and Proof):

S. 134. Relating to Jefferson County; requiring the county commission to make certain office space provisions in the new Jefferson County Sheriff's Headquarters building located at Eighth Avenue and 22nd Street, North, in the City of Birmingham for certain personnel in the sheriff's department.

By Senator Hilliard (With Notice and Proof):

S. 136. To further amend Act 248 of the Regular Session of the Legislature of Alabama of 1945, approved July 6, 1945, (general acts of the Legislature of Alabama, pp. 376-400), as heretofore amended, related to creating and establishing in counties having a population of 400,000 or more according to the last or any future federal census, a county-wide civil service system, to provide for the creation of the executive exempt service and related matters as described below and hereby adopted as if set out in full herein.

By Senator Hilliard (With Notice and Proof):

S. 137. To amend Act No. 1272 of the Regular Session of the Legislature of Alabama of 1973, approved September 18, 1973, as amended, to provide for the participation of the unclassified employees of the City of Birmingham in the retirement and relief system of the City of Birmingham and to provide for related matters.

By Senator Hilliard (With Notice and Proof):

S. 138. To amend Act No. 929, 1951 Regular Session (General Acts of 1951, p. 1579), as amended by Act No. 1272, 1973 Regular Session (Acts 1973, p. 2124), and as previously and subsequently amended, which created a retirement system for officers and employees in cities of two hundred thousand or more inhabitants according to the latest federal decennial census, so as to provide further for the payments of benefits during periods of re-employment.

By Senator Hilliard (With Notice and Proof):

S. 139. To amend Act No. 453 of the 1967 Regular Session of the Legislature of Alabama, (1967 Acts of Alabama, page 1129), as amended by Act No. 393 of the 1975 Regular Session of the Legislature of Alabama, said acts providing a pension and relief fund for officers and employees of the library board of any city having a population of three hundred thousand or more according to the last and any subsequent federal census, said act applicable to the officers and employees of the Birmingham Public Library System, to provide for the participation of the employees of the library board who are currently entitled to participate in the unclassified pension relief plan of the City of Birmingham to participate in the Birmingham Library Board Employees Pension and Relief Fund and to provide for related matters.

By Senator Hilliard (With Notice and Proof):

S. 140. To amend section 11-52-32 of the Code of Alabama 1975 relating to planning, zoning and subdivisions, so as to provide further for the planning

commissions of Class 1 municipalities to elect no less than three and no more than five of the members thereof to serve as a committee to approve or disapprove any plat presented to such commission.

Senator Hilliard, Chairperson of the Standing Committee on Local Legislation No. 2, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Senator Hilliard (With Notice and Proof)(With Substitute):

S. 141. To further amend Section 6 of Act No. 529 of the Legislature of Alabama of 1923, as codified in Title 62, Section 725, Code of Alabama 1940 (Recompiled 1958) and as amended by Act No. 87-788, to provide an expense allowance for members of the Park and Recreation Board of the City of Birmingham.

RESOLUTIONS

Senator Smith (J) offered the following Senate Resolutions, to-wit:

S. R. 23. COMMENDING JEFFREY WADE ENFINGER FOR DISTINGUISHED SERVICE TO THE HUNTSVILLE-MADISON COUNTY COMMUNITY AND THE STATE OF ALABAMA.

Also:

S. R. 24. COMMENDING JOSEPH M. FARLEY OF BIRMINGHAM, ALABAMA, FOR OUTSTANDING ACHIEVEMENT AND COMMUNITY SERVICE.

Also:

S. R. 25. COMMENDING THE JOHNSON JUNIOR HIGH SCHOOL COMPUTER TEAM FOR OUTSTANDING ACHIEVEMENT.

Which were filed.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Joint Resolution with the original Senate Joint Resolution, and finds same correctly enrolled, to-wit:

S. J. R. 2. COMMITTEE APPOINTED TO ESCORT GOVERNOR TO JOINT SESSION OF THE LEGISLATURE.

BILL DRINKARD,
Chairperson.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing

Senate Joint Resolution, the title of which is set out in the foregoing report from the Committee on Rules.

BILLS ON THIRD READING

THE BILL:

S. 13. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Hartselle, in Morgan County.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Foshee	Menton	
Amari	Campbell	Hale	Parsons	
Bailey	Denton	Holmes	Preuitt	
Barron	Dial	Horn	Rice	
Bedford	Dixon	Langford	Sanders	
Bedsole	Drinkard	Manley	Smith (J)	
Bennett	Ellis			—25

Nays: —0

THE BILL:

S. 7. Relating to Madison County, providing a certain county supplement to the salary of each supernumerary circuit clerk in the Twenty-third Judicial Circuit payable from the county treasury.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Campbell	Foshee	Menton	
Amari	Corbett	Hale	Parsons	
Barron	Denton	Holmes	Preuitt	
Bedsole	Dial	Horn	Rice	
Bennett	Dixon	Langford	Sanders	
Bishop	Drinkard	Manley	Smith (J)	
Cabaniss	Ellis			—25

Nays: —0

THE BILL:

S. 10. Relating to Morgan County; authorizing and empowering the Morgan County commission and the governing bodies of the incorporated municipalities in such county to regulate and control through the issuance of permits the location of rock quarry blasting operations within the county.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Foshee	Menton
Amari	Campbell	Hale	Parsons
Bailey	Denton	Holmes	Preuitt
Barron	Dial	Horn	Rice
Bedford	Dixon	Langford	Sanders
Bedsole	Drinkard	Manley	Smith (J)
Bennett	Ellis		

—25

Nays: —0

THE BILL:

S. 115. Relating to Madison County; to exempt from all county, local or municipal ad valorem taxes all property owned and used by the Huntsville Land Trust, Incorporated.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Campbell	Foshee	Menton
Amari	Corbett	Hale	Parsons
Barron	Denton	Holmes	Preuitt
Bedsole	Dial	Horn	Rice
Bennett	Dixon	Langford	Sanders
Bishop	Drinkard	Manley	Smith (J)
Cabaniss	Ellis		

—25

Nays: —0

THE BILL:

S. 47. Relating to Chambers County, repealing Act No. 88-277, H. 314, enacted in the Regular Session of 1988, allowing the Chambers County Health Department to set fees for service.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Campbell	Hale	Menton
Barron	Corbett	Hand	Parsons
Bedford	Dial	Holmes	Preuitt
Bedsole	Drinkard	Horn	Rice
Bennett	Ellis	Langford	Sanders
Bishop	Foshee	Manley	Smith (J)
Cabaniss	Goodwin		

—25

Nays: —0

THE BILL:

S. 65. Relating to Madison County; to authorize the county commission to designate an official county historian and appropriate an honorarium for same.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Campbell	Foshee	Menton	
Amari	Corbett	Hale	Parsons	
Barron	Denton	Holmes	Preuitt	
Bedsole	Dial	Horn	Rice	
Bennett	Dixon	Langford	Sanders	
Bishop	Drinkard	Manley	Smith (J)	
Cabaniss	Ellis			—25

Nays: —0

THE BILL:

S. 66. Relating to Lamar County, amending Act No. 82-114, H. 522, 1982 Regular Session, which provided for the compensation of certain county officials, so as to increase the compensation of members of the board of registrars.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Campbell	Goodwin	Manley	
Amari	Corbett	Hale	Menton	
Bailey	Denton	Hand	Parsons	
Bedford	Dial	Holmes	Preuitt	
Bennett	Dixon	Horn	Rice	
Bishop	Ellis	Langford	Sanders	
Cabaniss	Foshee			—25

Nays: —0

THE BILL:

S. 67. Relating to Lamar County, amending Act No. 82-114, H. 522, 1982 Regular Session, which provided for the compensation of certain county officials, so as to increase the compensation of members of the board of registrars.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Campbell	Goodwin	Manley	
Amari	Corbett	Hale	Menton	
Bailey	Denton	Hand	Parsons	
Bedford	Dial	Holmes	Preuitt	
Bennett	Dixon	Horn	Rice	
Bishop	Ellis	Langford	Sanders	
Cabaniss	Foshee			—25

Nays: —0

THE BILL:

S. 160. Relating to Marengo County; to create a license-issuing division within the probate judge's office for the issuance of certain licenses; to provide for the selection of personnel for such license-issuing division; to provide certain duties for the division; to provide for an optional procedure for the renewal of motor vehicle licenses in the county by mail; to authorize certain postal cost reimbursement plus a fee not to exceed \$1.00 pursuant to such system of renewal of motor vehicle licenses by mail; to prescribe more convenient and efficient procedures for assessing and collecting of certain taxes; the issuance of licenses by the probate judge's office; and to transfer certain duties now performed by the revenue commissioner to said probate office.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Ellis	Manley	
Amari	Cabaniss	Foshee	Parsons	
Bailey	Campbell	Hale	Preuitt	
Barron	Denton	Hand	Rice	
Bedford	Dial	Holmes	Sanders	
Bedsole	Dixon	Horn	Smith (J)	
Bennett	Drinkard			—25

Nays: —0

THE BILL:

S. 162. Relating to the City of Eutaw in Greene County; to alter, rearrange and extend the boundary lines and corporate limits of the municipality of Eutaw.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Foshee	Langford
Amari	Cabaniss	Goodwin	Manley
Bailey	Denton	Hale	Menton
Barron	Dial	Hand	Parsons
Bedford	Dixon	Holmes	Preuitt
Bedsole	Drinkard	Horn	Sanders
Bennett	Ellis		

—25

Nays: —0

THE BILL:

S. 164. Relating to the City of Eutaw in Greene County; to alter, rearrange and extend the boundary lines and corporate limits of the municipality of Eutaw.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	* Bishop	Foshee	Langford
Amari	Cabaniss	Goodwin	Manley
Bailey	Denton	Hale	Menton
Barron	Dial	Hand	Parsons
Bedford	Dixon	Holmes	Preuitt
Bedsole	Drinkard	Horn	Sanders
Bennett	Ellis		

—25

Nays: —0

**UNFINISHED BUSINESS
BILLS ON THIRD READING**

The Senate proceeded to consideration of the Unfinished Business for today, which was the Bill:

S. 2. To amend Sections 22-27-3 and 22-27-6, Code of Alabama 1975, which relate to the authority of local governing bodies as to methods of waste collections and disposal, and the time for local government compliance with the solid waste laws so as to provide further for the methods of waste collection and disposal facilities for solid wastes; to grant to the several county commissions and municipalities the power and authority by resolution or ordinance to adopt rules and regulations requiring mandatory public participation in solid waste collection and disposal programs; providing that failure to comply with the provisions of the article by the owner of solid waste generating property shall constitute a public nuisance and providing for the assessment for the cost of such collection and disposal against such solid waste generating property; to provide for the collection of such assessments; to provide that the amounts of such assessments shall be a lien on the property against which they are assessed and shall be subject to the same penalties and the same procedure under foreclosure and sale in case of delinquency as provided for ordinary county taxes; and to amend Section

22-27-7, Code of Alabama 1975, which relates to penalties for violation of the provisions of the article so as to further provide for such penalties.

Senator Corbett offered the following amendment to the Bill, S. B. 2, to-wit:

AMENDMENT TO S. B. 2

On page 1, on line 25, delete the word "to" and delete lines 26 through 30 in their entirety and on line 31 delete the word "taxes".

On page 2, in the title on line 19, delete the language "to provide that the amounts of" and delete lines 20 through lines 23 in their entirety and insert in lieu thereof:

and to amend

On page 6, on line 35, delete the language after the word "article" and on page 7, on line 5, delete the word "hereunder".

On page 8, delete lines 22 through 30 in their entirety and insert in lieu thereof:

county taxes are collected

On motion of Senator Denton, said amendment was laid on the table.

Yeas 19; Nays 5.

Yeas:

Senators:	Bishop	Foshee	Manley	
Amari	Cabaniss	Goodwin	Menton	
Barron	deGraffenried	Hale	Preuitt	
Bedsole	Denton	Hand	Sanders	
Bennett	Dixon	Holmes	Smith (J)	—19

Nays:

Senators:	Bedford	Langford	Rice	
Bailey	Corbett			—5

Senator Bedford offered the following amendment to the Bill, S. B. 2, to-wit:

AMENDMENT TO S. B. 2

On page 3 on line 16, after the word "vices" insert:

The county commission shall have the authority to call an advisory referendum regarding said issue. The cost of the referendum shall be paid by the county and after notice run in the local newspaper for 2 weeks.

On page 2 on line 12 after the word "ordinance" insert:

or after calling an advisory referendum

Senator Denton moved that said amendment be laid on the table, which motion was lost.

Yeas 11; Nays 13.

Yeas:

Senators:	Bishop	Denton	Preuitt	
Bedsole	Cabaniss	Manley	Sanders	
Bennett	Campbell	Menton	Smith (J)	—11

Nays:

Senators:	Corbett	Foshee	Hand	
Bailey	Covington	Goodwin	Langford	
Barron	deGraffenried	Hale	Rice	
Bedford	Dixon			—13

And said amendment was then adopted.

Yeas 21; Nays 4.

Yeas:

Senators:	Bennett	Denton	Hand	
Amari	Bishop	Dixon	Holmes	
Bailey	Campbell	Foshee	Langford	
Barron	Corbett	Goodwin	Menton	
Bedford	Covington	Hale	Rice	
Bedsole	deGraffenried			—21

Nays:

Senators:	Preuitt	Sanders	Smith (J)	
Cabaniss				—4

And said Bill, S. B. 2, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 24; Nays 3.

Yeas:

Senators:	Bishop	Foshee	Manley	
Amari	Cabaniss	Goodwin	Menton	
Bailey	Campbell	Hale	Preuitt	
Barron	deGraffenried	Hand	Rice	
Bedford	Denton	Holmes	Sanders	
Bedsole	Dixon	Horn	Smith (J)	
Bennett				—24

Nays:

Senators:	Corbett	Covington	Langford	—3
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THE BILL:

S. 180. Relating to Baldwin County; to prohibit the placing of signs, markers and advertising, pertaining to political campaigns, on state and county controlled highways except for those signs or markers placed by or under the authority of the state or county.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

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Yeas 25; Nays 0.

Yeas:

Senators:	Campbell	Goodwin	Menton
Barron	Denton	Hand	Parsons
Bedford	Dial	Holmes	Preuitt
Bedsole	Dixon	Horn	Rice
Bennett	Drinkard	Langford	Sanders
Bishop	Ellis	Manley	Smith (J)
Cabaniss	Foshee		

—25

Nays: —0

THE BILL:

S. 182. Relating to Baldwin County; repealing Act No. 88-381, H. 969, 1988 Regular Session (Acts 1988, p. 569) which increased court costs and provided for the disposition of the proceeds from the increase.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Campbell	Goodwin	Menton
Barron	Denton	Hand	Parsons
Bedford	Dial	Holmes	Preuitt
Bedsole	Dixon	Horn	Rice
Bennett	Drinkard	Langford	Sanders
Bishop	Ellis	Manley	Smith (J)
Cabaniss	Foshee		

—25

Nays: —0

THE BILL:

S. 181. Relating to Baldwin County; providing further for the compensation of poll workers.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Campbell	Goodwin	Menton
Barron	Denton	Hand	Parsons
Bedford	Dial	Holmes	Preuitt
Bedsole	Dixon	Horn	Rice
Bennett	Drinkard	Langford	Sanders
Bishop	Ellis	Manley	Smith (J)
Cabaniss	Foshee		

—25

Nays: —0

SPECIAL ORDER

The Senate proceeded to consideration of the special, paramount, and continuing order of business for today, the first of which was the Bill:

S. 24. To create and provide for the incorporation, organization and operation of the Alabama water system assistance authority; to prescribe the powers and functions of the said authority as a public corporation; to authorize the authority to make loans or grants to public water systems and to issue bonds; to establish a special "water supply assistance fund"; to provide for a legislative oversight committee to monitor such authority; to provide that the revenues accruing to the Alabama water system assistance authority from bonds issued by such authority shall be deposited in a certain fund to be operated by the Alabama department of economic and community affairs; and to provide for state assistance to and cooperation with community water systems in financing projects that would focus on locating, developing and sustaining adequate potable water supplies for the citizens of this state.

Senator Barron offered the following amendment to the Bill, S. B. 24, to-wit:

AMENDMENT TO S. B. 24

Amend Senate Bill 24 on Page 1, line 26, by deleting the word "Alabama".

Further amend Senate Bill 24 on Page 1, line 27, by deleting the words "department of economic and community affairs" and inserting in lieu thereof the words state treasury.

Further amend Senate Bill 24 on Page 3, line 32, by deleting the word "bank" and insert in lieu thereof the words or loans.

Further amend Senate Bill 24 on Page 3, line 33, by deleting the word "and" and inserting in lieu thereof the words or to refinance debt of community water systems or.

Further amend Senate Bill 24 on Page 7, line 9, by deleting the words "or projects, or" and inserting in lieu thereof the words or projects, or to refinance debt of community water systems or.

Which was adopted.

Yeas 18; Nays 0.

Yeas:

Senators:	Bennett	Dixon	Langford	
Bailey	Campbell	Foshee	Parsons	
Barron	Corbett	Goodwin	Rice	
Bedford	Covington	Hale	Sanders	
Bedsole	deGraffenried	Holmes		—18

Nays: —0

Senator Covington offered the following amendment to the Bill, S. B. 24, as amended, to-wit:

AMENDMENT TO S. B. 24, AS AMENDED

Amend Senate Bill No. S. B. 24 Page 7 Line 26, by deleting the word "may" and inserting the word shall,

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Amend on line 27 by striking the words "private or",

Which was adopted.

Yeas 18; Nays 0.

Yeas:

Senators:	Cabaniss	Foshee	Langford	
Bailey	Campbell	Goodwin	Parsons	
Barron	Corbett	Hale	Rice	
Bedsole	Covington	Hand	Sanders	
Bennett	Dixon	Holmes		—18

Nays: —0

Senator Bailey offered the following amendment to the Bill, S. B. 24, as amended, to-wit:

AMENDMENT TO S. B. 24, AS AMENDED

delete lines 35 and 36 on page 2 delete lines 5 and 6 on page 3 and insert in lieu thereof

"Section 3. The director of the department of economic and community affairs, the director of finance and one member from each congressional district appointed by the legislative oversight committee named herein"

Page 3 line 10, after the period insert the following:

"No member appointed to serve by the legislative oversight committee shall hold any public office while serving on the authority. Each member appointed by the legislative oversight committee shall serve a four year term or until a successor is appointed."

Which was adopted.

Yeas 19; Nays 0.

Yeas:

Senators:	Bennett	Dixon	Holmes	
Amari	Cabaniss	Foshee	Langford	
Bailey	Campbell	Goodwin	Manley	
Barron	Corbett	Hale	Parsons	
Bedsole	Covington	Hand	Sanders	—19

Nays: —0

On motion of Senator Barron, further consideration of the Bill, S. B. 24, as amended, was postponed subject to the call of the Chair.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Payne:

H. 159. To amend Section 32-6-61, Code of Alabama 1975, as amended, to provide that the special license tag or license plate fees provided by Section 32-6-150(a) shall not be prorated, but shall be paid on an annual basis.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 159—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Turnham:

H. 111. To amend section 32-6-8, Code of Alabama 1975, relating to learning permits for drivers' licenses, so as to provide for a four-year learner's license and increase the fees accordingly.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 111—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Richardson, Clark (J), Layson, Carter, Dillard, Grouby, Moon, Marks, Cosby, Knight, Hamilton, Blakeney, Willis, McMillan, Penry, and Breedlove:

H. 52. To amend Sections 9-11-44 and 9-11-53, Code of Alabama 1975, relating to annual resident hunting and fishing licenses, respectively, so as to increase the license fees, to further provide for a hunting license exemption for certain residents, to delete a provision for a county fishing license, to increase the fishing license issuance fee, to further provide for an exemption relating to certain fishing by certain county residents, to provide for an exemption for certain persons fishing pursuant to Act No. 88-578, to increase

the penalties in Section 9-11-44, and to authorize the issuance of licenses on a combination basis.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 52—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Rep. Haynes:

H. 203. To levy an additional privilege tax on cigarette papers and to provide for the assessment, collection and distribution of such tax; to confer powers and impose duties on the department of revenue; to prescribe criminal penalties for enforcement; to provide for the distribution of the net revenues from such tax to the State General Fund; and to provide the provisions of this act are cumulative.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 203—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. Ford, Junkins, and Bugg:

H. J. R. 91. DESIGNATING OCTOBER 12, 1988, AS "JACK LANG APPRECIATION DAY" IN THE CITY OF GADSDEN.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 91, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

BILLS ON THIRD READING RESUMED

THE BILL:

S. 74. To make an appropriation for the support and maintenance of Marion Military Institute for the fiscal year ending September 30, 1989.
was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 24; Nays 0.

Yeas:

Senators:	Cabaniss	Dixon	Horn
Amari	Campbell	Foshee	Langford
Bailey	Corbett	Goodwin	Manley
Barron	Covington	Hale	Parsons
Bedford	deGraffenried	Hand	Rice
Bedsole	Denton	Holmes	Sanders
Bennett			

—24

Nays:

—0

THE BILL:

S. 80. To make an appropriation for the support and maintenance of Talladega College for the fiscal year ending September 30, 1989.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 24; Nays 0.

Yeas:

Senators:	Cabaniss	Dixon	Horn
Amari	Campbell	Foshee	Langford
Bailey	Corbett	Goodwin	Manley
Barron	Covington	Hale	Rice
Bedford	deGraffenried	Hand	Sanders
Bedsole	Denton	Holmes	Smith (J)
Bennett			

—24

Nays:

—0

THE BILL:

S. 85. To make an appropriation for the support and maintenance of Lyman Ward Military Academy for the fiscal year ending September 30, 1989.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Campbell	Goodwin	Manley
Amari	Corbett	Hale	Menton
Bailey	Covington	Hand	Parsons
Barron	deGraffenried	Holmes	Rice
Bennett	Denton	Horn	Sanders
Bishop	Dixon	Langford	Smith (J)
Cabaniss	Foshee		

—25

Nays:

—0

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THE BILL:

S. 87. To make an appropriation for the support and maintenance of Walker County Junior College for the fiscal year ending September 30, 1989. was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Cabaniss	Goodwin	Manley	
Amari	Campbell	Hale	Menton	
Bailey	Corbett	Hand	Parsons	
Bedford	Covington	Holmes	Rice	
Bedsole	deGraffenried	Horn	Sanders	
Bennett	Dixon	Langford	Smith (J)	
Bishop	Foshee			—25

Nays: —0

THE BILL:

S. 91. To make an appropriation for the support and maintenance of Sylacauga Nurses Training School for the fiscal year ending September 30, 1989.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 26; Nays 0.

Yeas:

Senators:	Bishop	Foshee	Manley	
Amari	Cabaniss	Goodwin	Menton	
Bailey	Campbell	Hale	Parsons	
Barron	Corbett	Hand	Rice	
Bedford	Covington	Holmes	Sanders	
Bedsole	deGraffenried	Horn	Smith (J)	
Bennett	Dixon	Langford		—26

Nays: —0

THE BILL:

S. 169. To make an appropriation from the Alabama Special Educational Trust Fund for the support and maintenance of Tuskegee Institute (Tuskegee University) for the state fiscal year ending September 30, 1989.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 26; Nays 0.

Yeas:

Senators:	Bishop	Dixon	Langford	
Amari	Cabaniss	Foshee	Manley	
Bailey	Campbell	Goodwin	Menton	
Barron	Corbett	Hale	Rice	
Bedford	Covington	Hand	Sanders	
Bedsole	deGraffenried	Holmes	Smith (J)	
Bennett	Denton	Horn		—26

Nays: —0

THE BILL:

S. 148. To authorize the State Department of Veterans' Affairs to provide for the operation of a state veterans' home or homes; to provide for the administration of such homes; to authorize the receipt and use of federal and other funds for such purpose; to provide for the powers and duties of the State Board of Veterans' Affairs regarding said veterans' home; to create a veterans' home trust fund; to provide certain admission and discharge policy, to require certain reports and budget requests, to specify reimbursement policy; and to provide that certain certification requirements are met.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Foshee	Langford	
Amari	Cabaniss	Goodwin	Manley	
Bailey	Campbell	Hale	Menton	
Barron	Corbett	Hand	Rice	
Bedford	Covington	Holmes	Sanders	
Bedsole	deGraffenried	Horn	Smith (J)	
Bennett	Dixon			—25

Nays:

—0

THE BILL:

S. 149. To provide for a voluntary check-off designation on state income tax returns for the 1988 tax year and each year thereafter for the Alabama Veterans' Nursing Home Program; to provide the form for such designation; to provide for the crediting to the Department of Veterans' Affairs of the total amount designated for nursing home and health care services for aged and disabled veterans in Alabama; and to provide for an effective date.

was taken up.

Senator Rice offered the following amendment to the Bill, S. B. 149, to-wit:

AMENDMENT TO S. B. 149

Amend Senate Bill No. 149 Page 1 Line 10, by striking out the word "Nursing" and further amend on page 1 line 18 by striking out the word "Nursing"

Which was adopted.

Yeas 22; Nays 0.

Yeas:

Senators:	Cabaniss	Goodwin	Manley	
Amari	Campbell	Hale	Menton	
Bailey	Covington	Hand	Rice	
Barron	deGraffenried	Holmes	Sanders	
Bedsole	Dixon	Horn	Smith (J)	
Bishop	Foshee	Langford		—22

Nays:

—0

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And said Bill, S. B. 149, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Cabaniss	Foshee	Langford
Amari	Campbell	Goodwin	Manley
Bailey	Corbett	Hale	Menton
Barron	Covington	Hand	Rice
Bedford	deGraffenried	Holmes	Sanders
Bedsole	Denton	Horn	Smith (J)
Bishop	Dixon		

—25

Nays: —0

FURTHER CONSIDERATION OF S. B. 24

The Senate proceeded to further consideration of the Bill, S. B. 24, as amended.

And said Bill, S. B. 24, as amended, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 23; Nays 0.

Yeas:

Senators:	Bishop	Denton	Holmes
Amari	Cabaniss	Dixon	Horn
Bailey	Campbell	Foshee	Langford
Barron	Corbett	Goodwin	Menton
Bedford	Covington	Hale	Sanders
Bedsole	deGraffenried	Hand	Smith (J)

—23

Nays: —0

THE BILL:

S. 34. To make an appropriation of \$30,000 from the State General Fund to the Coosa-Alabama River Improvement Association for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 27; Nays 0.

Yeas:

Senators:	Cabaniss	Ellis	Langford
Amari	Campbell	Foshee	Manley
Bailey	Corbett	Goodwin	Menton
Barron	Covington	Hale	Parsons
Bedford	deGraffenried	Hand	Rice
Bedsole	Denton	Holmes	Sanders
Bennett	Dixon	Horn	Smith (J)

—27

Nays: —0

THE BILL:

S. 172. To amend Section 36-22-16 of the Code of Alabama 1975, so as to provide for the compensation of the sheriffs of the several counties in this state.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 2.

Yeas:

Senators:	Corbett	Foshee	Langford	
Amari	Covington	Goodwin	Manley	
Bailey	deGraffenried	Hale	Menton	
Bedford	Denton	Holmes	Sanders	
Bennett	Dixon	Horn	Smith (J)	
Campbell	Ellis			—21

Nays:

Senators:	Cabaniss	Hand	—2
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BILL RE-REFERRED

Senator Manley, Chairperson of the Standing Committee on Governmental Affairs, reported that said Committee, in session, had acted on the Bill, S. B. 125, and ordered same returned to the Senate with the recommendation that it be re-referred to another Committee.

And the President and Presiding Officer of the Senate ordered said Bill, S. B. 125, re-referred to the Standing Committee on Finance and Taxation.

BILLS ON THIRD READING RESUMED

THE BILL:

S. 94. To amend section 36-21-9 of the Code of Alabama 1975, which provides for a card authorizing an honorably retired law enforcement officer to carry a handgun so as to change the issuance of the card from an annual to a permanent basis.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Campbell	Foshee	Langford	
Amari	Corbett	Goodwin	Manley	
Bailey	Covington	Hale	Menton	
Bedford	deGraffenried	Hand	Parsons	
Bedsole	Denton	Holmes	Sanders	
Bennett	Dixon	Horn	Smith (J)	
Cabaniss	Ellis			—25

Nays:

—0

THE BILL:

S. 35. To amend Section 5-13A-2, Code of Alabama 1975, relating to banks and banking, to add the State of Texas to the states within the definition of "region" covered by the Alabama Regional Reciprocal Banking Act of 1986; to provide for severability of the provisions of this Act; to provide for the amendment of conflicting laws to the extent of such conflict; and to provide an effective date.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Corbett	Goodwin	Manley	
Barron	Covington	Hale	Menton	
Bedford	deGraffenried	Hand	Preuitt	
Bedsole	Denton	Holmes	Rice	
Bennett	Dixon	Horn	Sanders	
Cabaniss	Ellis	Langford	Smith (J)	
Campbell	Foshee			—25

Nays: —0

THE BILL:

S. 57. Proposing an amendment to Amendment No. 339 to the Constitution of Alabama of 1901, relating to sessions of the Legislature, so as to provide for a split annual session with only budgets, appropriations and revenue bills being considered during the first part; and repealing Amendment No. 448 relating to the paramount duty of the Legislature to make basic appropriations at regular sessions.

was taken up.

Senator Bennett offered the following amendment to the Bill, S. B. 57, to-wit:

AMENDMENT TO S. B. 57

Amend S. B. 57 as follows:

On page 3, after line 14, insert the following Section 2 and renumber the two remaining sections accordingly:

Section 2. Amendment No. 448 to the Constitution of Alabama of 1901, relating to the paramount duty of the Legislature to make basic appropriations at regular sessions, is hereby repealed.

Which was adopted.

Yeas 22; Nays 0.

Yeas:

Senators:	Campbell	Foshee	Manley	
Amari	Corbett	Goodwin	Menton	
Bedford	Covington	Hand	Preuitt	
Bedsole	Denton	Holmes	Sanders	
Bennett	Dixon	Horn	Smith (J)	
Cabaniss	Ellis	Langford		—22

Nays: —0

Senators Foshee and Goodwin offered the following substitute for the Bill, S. B. 57, as amended, to-wit:

SUBSTITUTE FOR S. B. 57, AS AMENDED

**A BILL
TO BE ENTITLED
AN ACT**

Proposing an amendment to Amendment No. 448 of the Constitution of Alabama of 1901, as amended, which provides that the paramount duty of the legislature shall be to make basic appropriations at regular sessions so as to provide that the provision shall not take effect until the 16th legislative day of each regular session and it removes the provision allowing the legislature to pass a resolution (B. I. R.) suspending the provisions of this constitutional requirement.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The following amendment to Amendment No. 448 of the Constitution of Alabama of 1901, as amended, is proposed and shall become valid as a part thereof when approved by a majority of the qualified electors voting thereon and in accordance with Sections 284, 285 and 287 of the Constitution of 1901 as amended:

PROPOSED AMENDMENT

"Amendment No. 448

"(A) The following words and phrases, whenever used in this amendment, shall have the following respective meanings:

" 'Basic appropriations' means, with respect to any regular session of the legislature, such appropriations as the legislature may deem appropriate for the expenditures by the state during the ensuing budget period for the ordinary expenses of the executive, legislative and judicial departments of the state, for payment of the public debt, and for education (excluding, however, any item within the scope of the foregoing that is at the time provided for by a continuing appropriation or otherwise).

" 'Budget period' means a fiscal year of the state or such period other than [a] fiscal year as may hereafter be fixed by law as the period with respect to which state budgets are prepared and state appropriations are made.

"(B) On or before the second legislative day of each regular session of the legislature, beginning with the first regular session after January 1, 1983, the governor shall transmit to the legislature for its consideration a proposed budget for the then next ensuing budget period.

"(C) The duty of the legislature ~~at by the 16th legislative day of any~~ regular session to make the basic appropriations for any budget period that will commence before the first day of any succeeding regular session shall be paramount; and, accordingly, beginning with the 16th legislative day of ~~the first regular session held after January 1, 1983~~ 1989, no bill (other than a bill making any of the basic appropriations) shall be signed by either the presiding officer of the house or senate and transmitted to the other house until bills making the basic appropriations for the then ensuing budget period shall have been signed by the presiding officer of each house of the legislature

in accordance with Section 66 of this Constitution and presented to the governor in accordance with Section 125 of this Constitution; provided, that this paragraph (C) shall not affect the adoption of resolutions or the conduct of any other legislative functions that do not require a third reading; ~~and provided further, that following adoption, by vote of either house of not less than three fifths of a quorum present, of a resolution declaring that the provisions of this paragraph (C) shall not be applicable in that house to a particular bill, which shall be specified in said resolution by number and title, the bill so specified may proceed to final passage therein.~~

“(D) Upon the signing and presentation to the governor in accordance with the said Sections 66 and 125 of bills making the basic appropriations, the provisions of the foregoing paragraph (C) prohibiting the final passage of bills in the house and senate (other than bills making any part of the basic appropriations) shall cease to be effective and shall not be revived or become again effective as a result of (i) the subsequent legislative history of any bill so signed and presented, including any veto, return with executive amendment, or any other action, or failure to act, by either the governor or the legislature under the provisions of the said Section 125; or (ii) a determination, by either judicial decree or opinion of the justices of the Alabama Supreme Court, that any bill so signed and presented is wholly or in part invalid.

“(E) The legislature may, by statute or rule, make such further provisions for the timely passage of bills making the basic appropriations as are not inconsistent with the provisions of this Constitution.

“(F) Nothing contained herein shall be construed as requiring the legislature to make any appropriation not otherwise required by this Constitution to be made.”

Section 2. An election upon the proposed amendment is ordered to be held at the next general, special, primary or constitutional amendment election after the expiration of three months from final adjournment of the current session of the Legislature. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and the general election laws of this state.

Section 3. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in a newspaper in each county of the state. In every county in which no newspaper is published, a copy of the notice shall be posted at each courthouse and post office.

On motion of Senator Foshee, further consideration of the Bill, S. B. 57, as amended, and pending substitute, was postponed until the Fifth Legislative Day as Unfinished Business.

THE BILL:

S. 93. To make a supplemental appropriation from the Alabama Special Education Trust Fund to the Children's Hospital of Alabama in Birmingham, Alabama, for the fiscal year 1988-89, and to require an operations plan and audited financial statement prior to release of any funds.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 24; Nays 0.

Yeas:

Senators:	Corbett	Foshee	Langford
Amari	Covington	Goodwin	Manley
Bedford	deGraffenried	Hale	Menton
Bennett	Denton	Hand	Parsons
Bishop	Dixon	Holmes	Preuitt
Cabaniss	Ellis	Horn	Smith (J)
Campbell			

—24

Nays:

—0

MOTION TO ADJOURN

Senator Bedford moved that when the Senate adjourns today, it adjourn to meet again on Tuesday, September 6, 1988, at 2 o'clock P.M., which motion was adopted.

BILLS ON THIRD READING RESUMED**THE BILL:**

S. 71. To make an appropriation from the State General Fund and the Alabama Special Educational Trust Fund for the fiscal year 1988-89 for the use of a sickle cell education program.

was taken up.

The Standing Committee on Finance and Taxation reported the following amendment No. 1 to the Bill, S. B. 71, to-wit:

AMENDMENT NO. 1 TO S. B. 71

Amend Senate Bill 71 on Page 1, Line 33, by deleting that line in its entirety and by inserting in lieu thereof the following new line:

“sum of two hundred forty-two thousand fifteen dollars
(\$242,015) for the”

Further amend Senate Bill 71 on Page 2, Line 15, by striking the figure “\$10,000” and inserting in lieu thereof the figure “\$50,000”.

Which was adopted.

Yeas 20; Nays 0.

Yeas:

Senators:	Cabaniss	Dixon	Horn
Amari	Campbell	Ellis	Langford
Bailey	Covington	Foshee	Manley
Bedsole	deGraffenried	Goodwin	Menton
Bennett	Denton	Hale	Smith (J)
Bishop			

—20

Nays:

—0

The Standing Committee on Finance and Taxation then reported the following amendment No. 2 to the Bill, S. B. 71, as amended, to-wit:

AMENDMENT NO. 2 TO S. B. 71, AS AMENDED

Amend Senate Bill 71 on Page 1, Line 20, by deleting that line in its entirety and by inserting in lieu thereof the following new line:

“fifty thousand dollars (\$450,000) for the”

Further amend Senate Bill 71 on Page 1, after Line 30, by adding the following line:

“6. The Children’s Hospital \$38,439”.

Which was adopted.

Yeas 23; Nays 0.

Yeas:

Senators:	Campbell	Ellis	Horn	
Amari	Corbett	Foshee	Langford	
Bailey	Covington	Goodwin	Manley	
Bedsole	deGraffenried	Hale	Menton	
Bennett	Denton	Hand	Sanders	
Cabaniss	Dixon	Holmes	Smith (J)	—23

Nays: —0

And said Bill, S. B. 71, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 24; Nays 0.

Yeas:

Senators:	Campbell	Ellis	Langford	
Amari	Corbett	Foshee	Manley	
Bailey	Covington	Goodwin	Menton	
Bedford	deGraffenried	Hale	Parsons	
Bedsole	Denton	Hand	Sanders	
Bennett	Dixon	Horn	Smith (J)	—24
Cabaniss				

Nays: —0

THE BILL:

S. 6. To provide that out-of-court statements made by children under 12 years of age at the time of the proceeding concerning an act that is a material element of any crime involving child sexual abuse, as defined, not otherwise admissible are admissible in a criminal proceeding in certain circumstances; to specify those circumstances; and to define crimes involving child sexual abuse for purposes of this act.

was taken up.

On motion of Senator Corbett, further consideration of the Bill, S. B. 6, was postponed temporarily.

THE BILL:

S. 73. To make an appropriation of \$2,000,000 from the Alabama Special Educational Trust Fund to the Southern Research Institute for the fiscal

year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 24; Nays 0.

Yeas:

Senators:	Corbett	Foshee	Manley	
Bailey	Covington	Goodwin	Menton	
Bedsole	deGraffenried	Hale	Parsons	
Bennett	Denton	Hand	Preuitt	
Bishop	Dixon	Horn	Sanders	
Cabaniss	Ellis	Langford	Smith (J)	
Campbell				—24

Nays: —0

THE BILL:

S. 185. To make an appropriation from the Alabama Special Educational Trust Fund in the amount of \$400,000 to the Children's and Women's Hospital for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 24; Nays 0.

Yeas:

Senators:	Campbell	Ellis	Langford	
Amari	Corbett	Foshee	Manley	
Bailey	Covington	Goodwin	Menton	
Bedsole	deGraffenried	Hale	Preuitt	
Bennett	Denton	Hand	Sanders	
Bishop	Dixon	Horn	Smith (J)	
Cabaniss				—24

Nays: —0

THE BILL:

S. 60. To make an appropriation from the Alabama Special Educational Trust Fund to the Alabama Shakespeare Festival for the fiscal year 1988-89 and to require an operations plan and audited financial statement prior to release of any funds; to require the condition of the donation of certain student tickets; to require the continuation of student discounts; and to require the reversion of funds appropriated upon certain violations of the provisions of this act.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 24; Nays 0.

Yeas:

Senators:	Campbell	Ellis	Langford
Amari	Corbett	Foshee	Manley
Bailey	Covington	Goodwin	Menton
Bedsole	deGraffenried	Hale	Preuitt
Bennett	Denton	Hand	Sanders
Bishop	Dixon	Horn	Smith (J)
Cabaniss			

—24

Nays: —0

REPORT OF SECRETARY

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Senate Joint Resolution delivered to the Governor, with the date and hour of delivery, to-wit:

S. J. R. 2

Delivered to the Governor September 2, 1988, at 1:26 P.M.

McDOWELL LEE,
Secretary of Senate.

SECRETARY'S REPORT

The foregoing report of the Secretary was read and ordered spread upon the Journal.

ADJOURNMENT

At 4:45 P.M., on motion of Senator Covington, in accordance with Motion heretofore adopted, and pending further consideration of the Bill, S. B. 57, the Senate adjourned until Tuesday, September 6, 1988, at 2 o'clock P.M.

**FIFTH LEGISLATIVE DAY
TUESDAY, SEPTEMBER 6, 1988**

The Senate met pursuant to adjournment, Lieutenant Governor Folsom presiding.

PRAYER

The Session was opened with prayer by Mr. Charles Moore, Steward, Hall Memorial C.M.E. Church, Montgomery, Alabama.

PLEDGE OF ALLEGIANCE

The Senators were led in the Pledge of Allegiance to the Flag of the United States of America by Beth Stringfellow, Brewbaker Junior High School, Montgomery, Alabama.

ROLL CALL

Present:

Senators:	Campbell	Figures	Manley	
Amari	Corbett	Foshee	Menton	
Bailey	Covington	Goodwin	Mitchem	
Barron	deGraffenried	Hale	Parsons	
Bedford	Denton	Hand	Preuitt	
Bedsole	Dial	Hilliard	Rice	
Bennett	Dixon	Holmes	Sanders	
Bishop	Drinkard	Horn	Smith (B)	
Cabaniss	Ellis	Langford	Smith (J)	—35

JOURNAL

On motion of Senator deGraffenried, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

**REPORT OF COMMITTEE
ON RULES ON
REVISION OF THE JOURNAL**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Fourth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

BILL DRINKARD,
Chairperson.

COMMITTEE REPORT

On motion of Senator Drinkard, the foregoing report was concurred in and the Journal of the Senate for the Fourth Legislative Day was approved by the Senate.

**REPORT OF
COMMITTEE ON RULES**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following engrossed Senate Bills with the original Senate Bills, respectively, and finds same correctly engrossed, to-wit:

S. 2. To amend Sections 22-27-3 and 22-27-6, Code of Alabama 1975, which relate to the authority of local governing bodies as to methods of waste collections and disposal, and the time for local government compliance with the solid waste laws so as to provide further for the methods of waste collection and disposal facilities for solid wastes; to grant to the several county commissions and municipalities the power and authority by resolution or ordinance or after calling an advisory referendum to adopt rules and regulations requiring mandatory public participation in solid waste collection and disposal programs; providing that failure to comply with the provisions of the article by the owner of solid waste generating property shall constitute a public nuisance and providing for the assessment for the cost of such collection and disposal against such solid waste generating property; to provide for the collection of such assessments; to provide that the amounts of such assessments shall be a lien on the property against which they are assessed and shall be subject to the same penalties and the same procedure under foreclosure and sale in case of delinquency as provided for ordinary county taxes; and to amend Section 22-27-7, Code of Alabama 1975, which relates to penalties for violation of the provisions of the article so as to further provide for such penalties.

Also:

S. 24. To create and provide for the incorporation, organization and operation of the Alabama water system assistance authority; to prescribe the powers and functions of the said authority as a public corporation; to authorize the authority to make loans or grants to public water systems and to issue bonds; to establish a special "water supply assistance fund"; to provide for a legislative oversight committee to monitor such authority; to provide that the revenues accruing to the Alabama water system assistance authority from bonds issued by such authority shall be deposited in a certain fund to be operated by the state treasury; and to provide for state assistance to and cooperation with community water systems in financing projects that would focus on locating, developing and sustaining adequate potable water supplies for the citizens of this state.

Also:

S. 71. To make an appropriation from the State General Fund and the Alabama Special Educational Trust Fund for the fiscal year 1988-89 for the use of a sickle cell education program.

Also:

S. 149. To provide for a voluntary check-off designation on state income tax returns for the 1988 tax year and each year thereafter for the Alabama Veterans' Home Program; to provide the form for such designation; to provide for the crediting to the Department of Veterans' Affairs of the total amount

designated for nursing home and health care services for aged and disabled veterans in Alabama; and to provide for an effective date.

BILL DRINKARD,
Chairperson.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Rep. Richardson:

H. J. R. 21. COMMENDING JOHN CLINTON HARRIS OF SCOTTSBORO, ALABAMA, FOR DISTINGUISHED SERVICE TO CIVITAN INTERNATIONAL.

Also:

By Rep. Richardson:

H. J. R. 22. MOURNING THE DEATH OF OAKLEY SHARP OF JACKSON COUNTY, ALABAMA.

Also:

By Rep. Richardson:

H. J. R. 23. CONGRATULATING MRS. MYRTLE WORTHEN ON THE OCCASION OF HER 101ST BIRTHDAY.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Corbett, the Rules were suspended and the Resolutions, H. J. R.'s 21 and 22, set out in the foregoing Message from the House, were concurred in and adopted by the Senate.

On motion of Senator deGraffenried, the Rules were suspended and the Resolution, H. J. R. 23, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

INTRODUCTION OF BILLS

Upon the call of districts, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Senator Horn:

S. 199. To amend Act No. 87-761 of the 1987 Regular Legislative Session as it amended Section 4 of Act No. 86-645 1st Special Session, 1986, concerning the repayment of funds transferred from Fund No. 305735 by said Act.

Committee on Finance and Taxation.

By Senator Covington:

S. 200. Proposing an amendment to the Constitution of 1901, as amended, relating to the legislative process for considering the major appropriations

bills for the operations of education, the operations of the executive, legislative and judicial branches of state government, the state public debt, and the other business of state government and setting a time frame therefor; and repealing Amendment No. 448 to the Constitution of 1901, as amended, Act No. 81-889, S. 32, First Special Session 1981 (Acts 1981, First, Second and Third Special Sessions, p. 25) relating to the legislative process for certain appropriations.

Committee on Judiciary.

The above Bill was read a first time at length as required by the Constitution.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Reps. Bugg, Ford, and Junkins:

H. J. R. 54. COMMENDING GOLF CHAMPION REX KEELING OF GADSDEN, ALABAMA.

Also:

By Rep. Rains:

H. J. R. 61. COMMENDING GENE STARNES OF GUNTERS-VILLE, ALABAMA, FOR OUTSTANDING ACHIEVEMENT.

Also:

By Rep. Buskey (JL):

H. J. R. 69. COMMENDING MR. AND MRS. OLIVER FENISON ON THEIR 70TH WEDDING ANNIVERSARY.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator deGraffenried, the Rules were suspended and the Resolutions, H. J. R.'s 54, 61, and 69, set out in the foregoing Message from the House, were concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Rep. Turner:

H. 18. To amend Sections 40-23-2, 40-23-61, 40-23-101 and 40-23-102, Code of Alabama 1975, which levy sales and use taxes on automotive vehicles, truck trailers, semitrailers, and house trailers, so as to increase the levy from 1 1/2% to 2% and amends Sections 40-23-35 and 40-23-108 to distribute the additional funds generated to the state general fund.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 18—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Harper:

H. 34. To make an appropriation for the support and maintenance of the Special Schools for Special Education for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 34—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Reps. Bugg and Junkins (With Notice and Proof):

H. 302. Relating to Etowah County, providing further for the expense allowance of the constable and providing for a retroactive effect.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 302, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Rep. Reed (With Notice and Proof):

H. 306. Relating to Macon County; to provide that beer or ale may be sold in containers not exceeding 24 ounces in size.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 306, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Rep. Laird (With Notice and Proof):

H. 307. Relating to Randolph County, repealing Act No. 88-328, H. 857, enacted in the Regular Session of 1988, allowing the Randolph County Health Department to set fees for service.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 307, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,
Clerk.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 302, 306, and 307—to the Committee on Local Legislation No. 1

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 18. Proposing an amendment to the Constitution of Alabama of 1901 relating to authorizing the creation of a Winston County Water Coordinating and Fire Prevention Authority by a general or a local act of the Legislature.

Also:

S. 19. Proposing an amendment to the Constitution of Alabama of 1901 relating to authorizing the creation of a Fayette County Water Coordinating and Fire Prevention Authority by a general or a local act of the Legislature.

Also:

S. 25. Relating to Franklin County; to provide for additional expense allowances for members of the board of registrars and to provide for its retroactive effect.

Also:

S. 31. Relating to Etowah County; providing for the establishment of a consolidated and unified system for assessment and collection of taxes under the supervision of an elected county official designated as county revenue commissioner; providing for the compensation of such official; abolishing the offices of tax assessor and tax collector; repealing conflicting laws; and providing for a referendum thereon.

Also:

S. 33. Providing for the filling of vacancies, for whatever nature, in the public offices in Etowah County; prescribing the election procedure for certain vacancies for more than one year remaining; prescribing the manner of operating any vacant office for an unexpired term of less than a year; and repealing conflicting laws.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 11. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Decatur, in Morgan County.

Also:

S. 12. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Hartselle, in Morgan County.

Also:

S. 16. Proposing an amendment to the Constitution of Alabama of 1901 relating to authorizing the creation of a Franklin County Water Coordinating and Fire Prevention Authority by a general or a local act of the Legislature.

Also:

S. 17. Proposing an amendment to the Constitution of Alabama of 1901 relating to authorizing the creation of a Lamar County Water Coordinating and Fire Prevention Authority by a general or a local act of the Legislature.

JOHN W. PEMBERTON,
Clerk.

REPORTS OF COMMITTEES

Senator Preuit, Chairperson of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Langford:

S. 111. To provide for a civil cause of action against certain employers who take action detrimental to certain defined employees because the employee reports a violation of law or participates in a formal inquiry or court action; to provide for damages and injunctive relief; and to provide a statute of limitations.

By Senators Bennett and Cabaniss:

S. 58. To amend section 29-1-4, Code of Alabama 1975, relating to the time of meeting and length of sessions of the legislature, so as to delete the reference to the length of annual sessions.

By Senator Manley:

S. 104. To revise the law on powers contained in mortgages on real estate and to provide: definitions; foreclosure by power of sale; minimum standards for notice of sale; method of conducting foreclosure by power of sale; and successive sales under power permitted. To apply only to mortgages, defined herein, executed on or after the effective date of this Act which is January 1, 1989.

By Senator Hilliard:

S. 193. To amend the Alabama Trademark Act to include the registrability of business trade names thereby creating an "Alabama Trademark and Trade Name Act" by amending sections 8-12-6, 8-12-7, 8-12-8, 8-12-9, 8-12-14, 8-12-16, and 8-12-17 of the Code of Alabama 1975; to provide for transition of existing trademarks; and to provide for an effective date of January 1, 1989.

Senator Bishop, Chairperson of the Standing Committee on Natural Resources, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Covington:

S. 166. Relating to the further regulation of liquefied petroleum gas and the powers, duties and authority of the Liquefied Petroleum Gas Board; to amend Sections 9-17-100, 9-17-102, 9-17-104, 9-17-106, 9-17-107, 9-17-108 and 9-17-109 of the Code of Alabama 1975, as amended; to amend Sections 9-17-101 and 9-17-105 of the Code of Alabama 1975, as amended by Act No. 88-142 of the 1988 Regular Session; and to provide for administrative remedies with rights to appeal for correcting noncompliance with law and with regulations of the Liquefied Petroleum Gas Board.

By Senator Langford:

S. 175. To require pipeline facilities transporting hazardous liquids and/or liquified natural gas (LNG) and facilities used in the liquification of natural gas to comply with certain standards of safety; granting certain additional rights, powers and authority to the Alabama Public Service Commission to carry out the purposes of this Act; prescribing jurisdictions of courts for injunction proceedings; and prescribing monetary sanctions for violations of certain standards of safety.

Senator Bailey, Chairperson of the Standing Committee on Education, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Manley:

S. 108. Relating to the improvement of the quality of the public elementary and secondary education system in the state; to make certain legislative findings; to direct the State Board of Education to appoint a task force for the purpose of establishing specific guidelines and/or minimum performance levels, to establish an accreditation system for all city and county boards of education and all public elementary and secondary schools in the state, to supplement the existing accreditation system established by the State Board of Education, which is based upon the satisfaction of specific guidelines and minimum performance standards established for such purpose

by the State Board of Education, including the intervention in the operation of the public schools under the jurisdiction of a city or county board of education which does not meet the guidelines and minimum performance standards; to assess the quality of education in the public schools under the jurisdiction of each city and county board of education and identify specific goals for improving education at the local level, to create for each city and county board of education in the state an assessment team, the members of which shall be appointed by each local board of education, to stipulate that the results of the assessment shall be reported, to provide for such assessment every third year, to authorize the State Board of Education to withhold state allocations to any school system that fails to assess its needs; to require the State Board of Education to establish a goal of increasing the scale score for passing the Alabama High School Graduation Examination; to provide for the development of research-based criteria for evaluation of all professional education personnel, to provide for the validation of the evaluation instrument, to require local boards of education to either use a local evaluation instrument or use the one developed by the State Board of Education; to provide for the design, implementation and monitoring by the State Board of Education of a pilot program to determine the optimum teacher-pupil ratios for promoting academic achievement in the public elementary and secondary schools in the state; to provide that the State Board of Education shall cause colleges and universities to reexamine and upgrade their teacher preparation programs in the state; to provide for the appointment of a task force to develop a comprehensive plan for in-service and professional development for professional personnel, to require consideration of such recommendation by the State Board of Education no later than July 1, 1989; to provide for the appointment of a task force to develop and propose recommendations for a pilot incentive program for educational improvement; to provide for the adoption of regulations by the State Board of Education requiring minimum periods of instructional time to be devoted to the fundamental areas of reading, English, mathematics, science, history, geography and computer skills, to require the State Board of Education to increase by not less than two the number of required academic courses for graduation with a standard diploma; to require city and county board of education to adopt policies to ensure a safe school environment; to provide for the development by the State Board of Education, in cooperation with public institutions of higher education in the state and leaders in high technology business and industry, of a long-range plan utilizing the results of a pilot program, for the utilization of advanced technology teaching aids in the public elementary and secondary schools in the state.

By Senator Rice:

S. 151. To amend Sections 16-6A-12 and 16-6A-13, Code of Alabama 1975, which provide for the Educational Reform Act of 1984, so as to provide further for eligibility for and repayment of scholarship loans for teacher education programs in critical needs areas.

Senator Foshee, Chairperson of the Standing Committee on Business and Labor Relations, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Reps. Laird, Drake, White (F), Richardson, Ford, Junkins, Mikell, Johnson (RG), Johnson (RW), Turner, Haynes, Walker, Turnham, Carter,

Beasley, Layson, Bryant, Black, Penry, Carothers, Hammett, Breedlove, Faulk, Williams, and Harvey:

H. 188. To amend sections 25-4-72, 25-4-73, 25-4-76 and 25-4-77, Code of Alabama 1975, relating to the Unemployment Compensation Act effective for weeks within benefit years beginning on and after January 1, 1989, so as to increase maximum weekly unemployment benefits to \$145, compute such weekly benefits on the average of the covered wages paid to an individual during the two quarters of his base period in which such wages were highest.

By Reps. Johnson (RW), Ford, Junkins, Mikell, Haynes, Walker, Turnham, and Laird:

H. 163. Relating to employment security programs of the Department of Industrial Relations so as to provide for an assessment of 0.06% against wages paid by certain employers for a three-year period beginning January 1, 1989 and ending December 31, 1991; to provide for the collection, appropriation and disbursement of such assessment, and to provide for the establishment of the "Employment Security Administration Enhancement Fund" in the state treasury; to amend Sections 25-4-31, 25-4-54 and 25-4-143, Code of Alabama 1975, as amended, all relating to the Unemployment Compensation Trust Fund, so as to provide for a reduction of 0.06% in the rates of unemployment compensation contributions of certain employers effective for calendar years beginning on January 1, 1989 and ending on December 31, 1991, to provide for the appropriation of this and other revenue and for the transfer from the clearing account certain moneys into certain separate special funds in the state treasury.

Senator Covington, Chairperson of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Preuitt (With Notice and Proof):

S. 36. Relating to Talladega County, requiring the inspection of all asphalt plants eligible to bid on the sale of asphalt plant mix to the county or any municipality within the county by the highway department.

By Senator Preuitt (With Notice and Proof):

S. 38. Relating to Talladega County; to provide for the mailing address of the grantees to appear on all conveyances of real property recorded in the probate office of such county.

Senator Covington, Chairperson of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Rep. Grouby (With Amendment):

H. 1. To propose a self-executing amendment to the Constitution of Alabama of 1901, relative to the compensation of the judge of probate of Autauga County.

The above Bill was read a second time at length as required by the Constitution.

Senator Covington, Chairperson of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Clark (J) (With Notice and Proof):

H. 19. Relating to Barbour County, providing for an increase in certain court costs and providing for the disposition of the proceeds from the increase.

By Rep. Clark (J) (With Notice and Proof):

H. 20. Relating to Barbour County, providing an expense allowance for the circuit judge, district attorney, district judge and circuit clerk, and to provide for the funding of said allowance.

By Rep. Parker (With Notice and Proof):

H. 87. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Decatur, in Morgan County.

By Rep. Faulk (With Notice and Proof):

H. 89. Relating to Crenshaw County; providing for the establishment of a consolidated and unified system of assessment and collection of taxes under the supervision of an elective county official designated as county revenue commissioner; prescribing the powers, duties, term of office and compensation of said county revenue commissioner, and providing for his election; abolishing the county offices of tax assessor and tax collector in Crenshaw County; repealing conflicting laws; and prescribing the effective date of this act.

By Rep. Johnson (RW) (With Notice and Proof):

H. 91. Relating to the City of Tuscaloosa, Tuscaloosa County, fire-fighters, so as to establish longevity pay in addition to compensation and the manner of such payments.

By Rep. Faulk (With Notice and Proof):

H. 92. Relating to Crenshaw County; to provide for the election of the county superintendent and for the filling of unexpired terms of office resulting from vacancies; subject to the approval of a majority of the qualified electors of Crenshaw County voting thereon at a referendum election.

By Rep. Johnson (RW) (With Notice and Proof):

H. 93. Relating to Tuscaloosa County and the Firemen's and Policemen's Pension and Relief Fund for the City of Tuscaloosa, further amending Act No. 328, H. 854, 1959 Regular Session, providing for an increase in the amount to be deducted from the salary of each fireman and policeman, increasing the amount to be paid into the fund out of the treasury of city by the governing body of the city and to change the requirements relating to the signing of warrants or checks for payment of amounts from the fund.

By Reps. Johnson (RG) and Haynes (With Notice and Proof):

H. 102. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Sylacauga, in Talladega County.

By Rep. Layson (With Notice and Proof):

H. 104. Relating to Pickens County; providing an expense allowance for members of the board of registrars retroactive to October 1, 1985, and providing that such expense allowance shall remain in effect either until September 30, 1991 or until the provisions of Act 88-659 of the 1988 Regular Session are implemented, whichever occurs first, at which occurrence the county governing body shall by resolution either terminate or continue such expense allowance.

By Rep. Faulk:

H. 122. To propose a self-executing amendment to the Constitution of Alabama of 1901 relative to the compensation of the judge of probate of Crenshaw County.

The above Bill was read a second time at length as required by the Constitution.

By Rep. Adams (With Notice and Proof):

H. 123. To authorize the county commission of Russell County, acting pursuant to Amendment No. 373 to the Constitution of Alabama of 1901, to increase the rate at which there is levied and collected by Russell County, on all taxable property situated within said county, an ad valorem tax for public buildings, bridges or roads by an amount which shall not exceed, for any tax year of said county, \$.65 on each one hundred dollars (6-1/2 mills on each dollar) of assessed value and to provide for a referendum.

By Rep. Holley (With Notice and Proof):

H. 127. Relating to Coffee County, to provide for the salary of the Probate Judge, the Revenue Commissioner and the Sheriff.

By Rep. Holley (With Notice and Proof):

H. 129. Relating to Coffee County, to designate the bridge over White Water Creek on Highway 167 the Clowers Bridge and to provide for the preparation and erection of signs.

By Rep. Parker (With Notice and Proof):

H. 168. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Hartselle, in Morgan County.

By Rep. Parker (With Notice and Proof):

H. 169. Relating to Morgan County; authorizing and empowering the Morgan County commission and the governing bodies of the incorporated municipalities in such county to regulate and control through the issuance of permits the location of rock quarry blasting operations within the county.

By Rep. Venable (With Notice and Proof):

H. 181. Relating to Coosa County, providing for an advisory referendum regarding Coosa County Commission members' compensation and the Coosa County Commission chairman's right to vote.

By Reps. Penry and McMillan (With Notice and Proof):

H. 182. Relating to Baldwin County; to alter, rearrange and extend the boundary lines and corporate limits of the municipality of Fairhope in Baldwin County.

By Reps. Haynes and Johnson (RG) (With Notice and Proof):

H. 189. Relating to Talladega County, requiring the inspection of all asphalt plants eligible to bid on the sale of asphalt plant mix to the county or any municipality within the county by the highway department.

By Rep. Parker (With Notice and Proof):

H. 193. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Hartselle, in Morgan County.

By Rep. Breedlove:

H. 225. To propose an amendment to the Constitution of Alabama of 1901, relating to fire protection districts in Washington County, so as to provide for the levy and collection of certain additional property tax for fire protection in said county.

The above Bill was read a second time at length as required by the Constitution.

By Rep. Dillard (With Notice and Proof):

H. 235. Relating to Lawrence County, providing for an advisory referendum election relating to the manner of electing the members of the county commission.

By Rep. Hammett (With Notice and Proof):

H. 242. To alter or rearrange the boundary lines of the City of Andalusia, Covington County, Alabama, so as to include within the corporate limits of said city all territory now within such corporate limits and also certain other territory contiguous thereto, in Covington County, Alabama.

By Rep. Hammett (With Notice and Proof):

H. 243. Relating to Covington County; providing for the collection of municipal and/or county vehicle use tax on vehicles purchased from out-of-state dealers or Alabama dealers who failed to collect municipal and/or county sales taxes at the time of sale; and providing for the disposition of the proceeds.

By Reps. Johnson (RG) and Haynes (With Notice and Proof):

H. 269. Relating to Talladega County; to provide for the mailing address of the grantees to appear on all conveyances of real property recorded in the probate office of such county.

By Reps. Williams and Flowers (With Notice and Proof):

H. 281. Relating to Dale County; providing for the establishment of a consolidated and unified system of assessment and collection of taxes under the supervision of an elective county official designated as county revenue commissioner; prescribing the powers, duties, term of office and compensation of said county revenue commissioner, and providing for his election; abolishing the county offices of tax assessor and tax collector in Dale County; repealing conflicting laws; and prescribing the effective date of this act.

Senator Horn, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following

bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Horn:

S. 72. To make an appropriation from the State General Fund to the Mallard Fox Creek Port and Industrial Park for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

By Rep. Hettinger:

H. 233. To impose an excise tax on illegal possession, distribution, sales, use and other transactions involving certain drugs or controlled substances and to provide for disposition of the proceeds of the tax; and to provide for criminal penalties for violating this act.

By Rep. Lindsey:

H. 234. To provide for revisions to the Code of Alabama 1975, dealing with ad valorem taxation, so as to offer equity and equalization in administration of ad valorem taxes, by amending the following code sections successively: Section 40-7-23, Code of Alabama 1975, as amended, to establish requirements under which a taxpayer may avoid the statutory ten percent penalty normally assessed on escaped tangible personal property ad valorem taxes, for the tax years ending on or before September 30, 1988, and to waive, upon the taxpayer's fulfilling the requirements of Section 40-7-23, the taxpayer's ad valorem tax liability on tangible personal property so assessed for the tax years ending on or before September 30, 1987; Sections 40-7-1, 40-8-1, 40-11-1, 40-12-240, 40-12-255 and 40-12-256, Code of Alabama 1975, to provide for assessment and payment of ad valorem taxes by owners of mobile homes the same as other real property and personal property owners, to identify the class of assessment for travel trailers, to eliminate the requirement for owners of mobile homes to purchase a license tag and pay the \$3.00 registration fee, to provide for the uniform identification and assessment of mobile homes, to authorize the commissioner of revenue to require that certain mobile home and ad valorem tax information be reported by real property owners on forms and through procedures prescribed by the commissioner of revenue, to require any public or private entity that provides or sells any gas or electric services to provide to the county tax assessing official, at least monthly, a list containing each mobile home to which such entity has connected gas or electric service in the county during the preceding period, together with the name of the occupant and the location of the connection, to authorize the commissioner of revenue to promulgate rules and regulations necessary to carry out the provisions of this act and to make certain grammatical and clarifying changes; Sections 40-5-9, 40-10-21, 40-10-75, 40-10-76, 40-10-77, 40-10-83, 40-10-121, 40-10-122, and 40-10-132, Code of Alabama 1975, to increase the interest rate on delinquent ad valorem taxes and on taxes paid upon redemption; and by amending Section 40-7-21, Code of Alabama 1975, establishing the class of misdemeanor for failure or refusal to provide information deemed essential to assessment of property and to authorize proper authority to audit, examine, and inspect records and property, as needed, to enforce the assessment and collection of ad valorem taxes.

By Senator deGraffenried:

S. 100. To amend Sections 40-6-1, 40-6-3 and 40-6-4, Code of Alabama 1975, relating to the compensation and benefits paid to supernumerary tax

assessors, tax collectors, revenue commissioners, license commissioners or other elected officials charged with the assessment and/or collection of ad valorem taxes, so as to cover appointed ad valorem tax officials and provide for a surviving spouse benefit.

By Senator Hand:

S. 125. To provide for the method of filing applications for allocations of a portion of the "State Ceiling" applicable to tax-exempt bonds; to establish expiration and reversion dates for allocation of "State Ceiling" and conditions subsequent to such allocations; to allocate the entire "State Ceiling" to the State, subject to redistribution by the State Industrial Development Authority; to reserve certain portions of the "State Ceiling" for the use and benefit of Alabama Housing Finance Authority and Alabama Higher Education Loan Corporation; to provide for the allocation of portions of the "State Ceiling" to issuers of small issue bonds for manufacturing facilities and for exempt facility bonds and for the allocation of a portion of the "State Ceiling" at the discretion of the State Industrial Development Authority; to provide a procedure for carryforward allocations; to establish an effective date; to authorize the State Industrial Development Authority to adopt rules and regulations governing the making of allocations; and to designate the president of the State Industrial Development Authority as the State official authorized to make certain certifications required under the Internal Revenue Code of 1986, as amended.

By Reps. Breedlove, Hamilton, Knight, Hammett, Cosby, and Laird:

H. 276. To provide for the department of public safety to furnish criminal history record searches of convictions within the state of Alabama whenever allowed by law and to establish a fee for providing the same.

By Rep. Flowers:

H. 205. To amend Sections 32-8-6, 32-8-7 and 32-8-87, Code of Alabama 1975, relating to the Uniform Certificate of Title and Theft Act, so as to simplify the motor vehicle title transaction fee schedule; to increase certain commissions and fees for services rendered; and to clarify inspection procedures for obtaining titles for rebuilt vehicles.

By Rep. Haynes:

H. 203. To levy an additional privilege tax on cigarette papers and to provide for the assessment, collection and distribution of such tax; to confer powers and impose duties on the department of revenue; to prescribe criminal penalties for enforcement; to provide for the distribution of the net revenues from such tax to the State General Fund; and to provide the provisions of this act are cumulative.

By Rep. Payne:

H. 159. To amend Section 32-6-61, Code of Alabama 1975, as amended, to provide that the special license tag or license plate fees provided by Section 32-6-150(a) shall not be prorated, but shall be paid on an annual basis.

By Reps. Johnson (RG) and Carothers:

H. 209. To amend section 32-6-17, Code of Alabama 1975, relating to driver's license fees, so as to increase the reinstatement fee, to make the fee applicable for each action and to require the licensee, upon reinstatement, to obtain a duplicate license with a new photograph and current personal

data to ensure that the records of the department of public safety are kept up-to-date.

By Rep. Knight:

H. 147. To amend Section 35-12-38, Code of Alabama 1975, so as to permit stocks in custodial possession of the state to be sold through an established stock exchange or over the counter at prevailing prices and to permit the redemption of government and corporate bonds that have reached maturity.

By Reps. Hamilton, Hooper, Cosby, Dillard, Mikell, Breedlove, Bowling, Marks, Williams, Laird, Richardson, Moon, Grouby, Blakeney, Turner, White (G), White (L), Hammett, McMillan, McKee, Penry, Turnham, Curry, Petelos, Layson, Wright, Walker, Perdue, Starkey, Goodwin, Beers, Spratt, Hill, Newton, Gray, Adams, Logan, Knight, and Willis:

H. 152. To provide for a service fee of \$50.00 per hour payable to the state general fund for the services of any officer or employee of any state department, agency, board or commission who is subpoenaed to furnish testimony in his or her official capacity through depositions or otherwise assists in any civil proceeding in which the employee or department is not a party.

By Reps. Crow, Richardson, Mikell, Breedlove, Willis, Hogan, McKee, Curry, Hooper, Gray, McDowell, Gaston, White (G), Seibels, and Beasley:

H. 142. To amend section 32-7-4, Code of Alabama 1975, relating to fees for abstracts of driving records, so as to increase the fee for an abstract of a driving record from \$4.00 to \$5.50.

By Reps. Hooper, Hamilton, Cosby, Dillard, Bowling, McMillan, Mikell, Flowers, Logan, Petelos, Turnham, Curry, Walker, Fuller, Knight, Newton, Perdue, Moon, Kvalheim, Drake, White (G), and Hammett:

H. 138. To provide that the alcoholic beverage control board shall under certain conditions audit and collect certain taxes on beer or table wine levied for the benefit of local governing bodies.

By Reps. Hooper, Hamilton, Cosby, Dillard, Bowling, McMillan, Turnham, Mikell, Logan, Petelos, Curry, Fuller, Knight, Newton, Perdue, Moon, Kvalheim, McKee, Drake, White (G), and Hammett:

H. 120. To amend section 8-6-3, Code of Alabama 1975, relating to registration of securities dealers and salesmen, so as to increase the fees for registration of dealers and salesmen and to make the fees nonrefundable.

By Rep. Turnham:

H. 111. To amend section 32-6-8, Code of Alabama 1975, relating to learning permits for drivers' licenses, so as to provide for a four-year learner's license and increase the fees accordingly.

By Reps. Richardson, Clark (J), Layson, Carter, Dillard, Grouby, Moon, Marks, Cosby, Knight, Hamilton, Blakeney, Willis, McMillan, Penry, and Breedlove:

H. 52. To amend Sections 9-11-44 and 9-11-53, Code of Alabama 1975, relating to annual resident hunting and fishing licenses, respectively, so as to increase the license fees, to further provide for a hunting license exemption for certain residents, to delete a provision for a county fishing license, to

increase the fishing license issuance fee, to further provide for an exemption relating to certain fishing by certain county residents, to provide for an exemption for certain persons fishing pursuant to Act No. 88-578, to increase the penalties in Section 9-11-44, and to authorize the issuance of licenses on a combination basis.

By Rep. Newton:

H. 26. To amend section 32-2-8, Code of Alabama 1975, relating to fees charged for copies of records of the Department of Public Safety, so as to increase the fee charged for a copy of any record in the files of the department of public safety.

By Rep. Newton:

H. 23. To amend section 32-6-15, Code of Alabama 1975, relating to fees for duplicate drivers' licenses, so as to increase the fee for a duplicate of lost or destroyed licenses.

By Rep. White (L):

H. 11. To require the state department of human resources to charge a fee at a certain hourly rate to be assessed as costs against the parties for investigation services performed in cases involving divorce or divorce modifications, and to require that said fees shall be deposited in the state treasury to the credit of the state general fund.

By Rep. White (L):

H. 10. To require the state department of human resources to charge a fee in the amount of \$1,000.00 to be assessed as costs against the petitioners for investigation services performed in certain independent cases involving adoption; and to require that said fees shall be deposited in the state treasury to the credit of state general fund.

By Senator Horn:

S. 62. To amend Section 14-1-14 of the Code of Alabama 1975, increasing the Corrections revolving fund to \$40,000.00.

By Senator Horn:

S. 76. To make a supplemental appropriation to the Alabama Real Estate Commission from the Real Estate Commission Fund for capital outlay for the fiscal year ending September 30, 1988.

RESOLUTIONS

Senator Smith (J) offered the following Senate Resolutions, to-wit:

S. R. 26. COMMENDING DR. AVRIN M. OVERBACH OF HUNTSVILLE, ALABAMA.

Also:

S. R. 27. COMMENDING DENE HAMBY FOR DISTINGUISHED SERVICE TO THE HUNTSVILLE EDUCATION ASSOCIATION.

Also:

S. R. 28. COMMENDING EDWARD A. BEHMER OF HUNTSVILLE, ALABAMA, FOR DISTINGUISHED SERVICE TO THE PODIATRY PROFESSION.

Which were filed.

Senator Campbell offered the following Senate Joint Resolution, to-wit:

S. J. R. 29. COMMENDING H. A. ALEXANDER FOR OUTSTANDING SERVICE TO THE CITY OF MOULTON, ALABAMA.

WHEREAS, the retirement of H. A. Alexander as Mayor of the City of Moulton, Alabama, brings to a close a distinguished tenure in municipal leadership during his five terms in office; and

WHEREAS, Mayor Alexander has been instrumental in numerous advancements and accomplishments for his city including the acquisition of more than \$20 million in grants; the development of the 80-acre Turkey Creek Water Lake, as a member of the Water Board; the construction of a new city hall, city service center, and recreational and park facilities; and the development of Deer Run, Moulton's first golf course; and

WHEREAS, also under Mayor Alexander's leadership, an expanded sewage treatment plant was developed; a beneficial change in the privilege license formula was adopted; a sales tax was added for additional revenue; the Lawrence County Lions' Club Fair was organized; and the Moulton-Lawrence County Chamber of Commerce was established with Mayor Alexander serving as president for a two-year term; and

WHEREAS, Mayor Alexander, in further service and involvement, is a member of North Alabama Mountain Lakes Tourism Board; and is a member, past president and committeeman of the Alabama League of Municipalities; and

WHEREAS, he also is member of the Regional Council of Governments, Morgan-Lawrence County Community Action Committee, Alabama Community Development Advisory Board, National League of Cities' Advisory Council and the League's executive and human development committees, Alabama Criminal Justice Board, and the George C. Wallace Industrial Air Park Board, as well as serving on several boards of the North Central Alabama Mental Health Association; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby most highly commend Mayor H. A. Alexander for distinguished service to the City of Moulton, Lawrence County and the State of Alabama, and do further direct that he receive a copy of this resolution of sincere praise and regard.

On motion of Senator Campbell, the Rules were suspended and the Resolution was adopted by the Senate.

BILLS ON THIRD READING

THE BILL:

S. 90. Relating to the composition of the board of directors of that certain public corporation, the Alabama State Fair Authority, created by Act No. 215, 1947 General Acts of Alabama; amending Section 4 of Act No. 215, S. 278, Regular Session 1947 (General Acts of Alabama of 1947, p. 81), as amended, which relates to the composition of the board of such authorities in certain cities having a certain population in Jefferson County, so as to increase the number and providing the manner of their selection.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Covington	Figures	Manley	
Amari	deGraffenried	Foshee	Menton	
Barron	Denton	Goodwin	Parsons	
Bedford	Dial	Hale	Rice	
Bennett	Dixon	Hilliard	Sanders	
Cabaniss	Drinkard	Horn	Smith (B)	
Corbett	Ellis			—25

<i>Nays:</i>				—0
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THE BILL:

S. 127. Relating to Jefferson County; to provide for the appointment of a Chief Deputy Tax Collector by the elected Jefferson County Assistant Tax Collector, Bessemer Division, and to provide for compensation, funding and qualifications of said Chief Deputy.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Covington	Figures	Manley	
Amari	deGraffenried	Foshee	Menton	
Barron	Denton	Goodwin	Parsons	
Bedford	Dial	Hale	Rice	
Bennett	Dixon	Hilliard	Sanders	
Cabaniss	Drinkard	Horn	Smith (B)	
Corbett	Ellis			—25

<i>Nays:</i>				—0
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THE BILL:

S. 128. To provide for the appointment of a chief deputy tax collector by the elected Jefferson County tax collector and to provide for compensation, funding and qualifications of said chief deputy.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Covington	Figures	Manley	
Amari	deGraffenried	Foshee	Menton	
Barron	Denton	Goodwin	Parsons	
Bedford	Dial	Hale	Rice	
Bennett	Dixon	Hilliard	Sanders	
Cabaniss	Drinkard	Horn	Smith (B)	
Corbett	Ellis			—25

<i>Nays:</i>				—0
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THE BILL:

S. 134. Relating to Jefferson County; requiring the county commission to make certain office space provisions in the new Jefferson County Sheriff's Headquarters building located at Eighth Avenue and 22nd Street, North, in the City of Birmingham for certain personnel in the sheriff's department.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 1.

Yeas:

Senators:	deGraffenried	Foshee	Menton	
Amari	Denton	Goodwin	Parsons	
Barron	Dial	Hale	Rice	
Bedford	Dixon	Hilliard	Sanders	
Bennett	Drinkard	Horn	Smith (B)	
Corbett	Ellis	Manley	Smith (J)	
Covington	Figures			—25

Nay: Senator Cabaniss —1

THE BILL:

S. 136. To further amend Act 248 of the Regular Session of the Legislature of Alabama of 1945, approved July 6, 1945, (general acts of the Legislature of Alabama, pp. 376-400), as heretofore amended, related to creating and establishing in counties having a population of 400,000 or more according to the last or any future federal census, a county-wide civil service system, to provide for the creation of the executive exempt service and related matters as described below and hereby adopted as if set out in full herein.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Covington	Figures	Manley	
Amari	deGraffenried	Foshee	Menton	
Barron	Denton	Goodwin	Parsons	
Bedford	Dial	Hale	Rice	
Bennett	Dixon	Hilliard	Sanders	
Cabaniss	Drinkard	Horn	Smith (B)	
Corbett	Ellis			—25

Nays: —0

THE BILL:

S. 137. To amend Act No. 1272 of the Regular Session of the Legislature of Alabama of 1973, approved September 18, 1973, as amended, to provide for the participation of the unclassified employees of the City of Birmingham in the retirement and relief system of the City of Birmingham and to provide for related matters.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Covington	Figures	Manley	
Amari	deGraffenried	Foshee	Menton	
Barron	Denton	Goodwin	Parsons	
Bedford	Dial	Hale	Rice	
Bennett	Dixon	Hilliard	Sanders	
Cabaniss	Drinkard	Horn	Smith (B)	
Corbett	Ellis			—25

Nays: —0

THE BILL:

S. 138. To amend Act No. 929, 1951 Regular Session (General Acts of 1951, p. 1579), as amended by Act No. 1272, 1973 Regular Session (Acts 1973, p. 2124), and as previously and subsequently amended, which created a retirement system for officers and employees in cities of two hundred thousand or more inhabitants according to the latest federal decennial census, so as to provide further for the payments of benefits during periods of re-employment.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Covington	Figures	Manley	
Amari	deGraffenried	Foshee	Menton	
Barron	Denton	Goodwin	Parsons	
Bedford	Dial	Hale	Rice	
Bennett	Dixon	Hilliard	Sanders	
Cabaniss	Drinkard	Horn	Smith (B)	
Corbett	Ellis			—25

Nays: —0

THE BILL:

S. 139. To amend Act No. 453 of the 1967 Regular Session of the Legislature of Alabama, (1967 Acts of Alabama, page 1129), as amended by Act No. 393 of the 1975 Regular Session of the Legislature of Alabama, said acts providing a pension and relief fund for officers and employees of the library board of any city having a population of three hundred thousand or more according to the last and any subsequent federal census, said act applicable to the officers and employees of the Birmingham Public Library System, to provide for the participation of the employees of the library board who are currently entitled to participate in the unclassified pension relief plan of the City of Birmingham to participate in the Birmingham Library Board Employees Pension and Relief Fund and to provide for related matters.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

FIRST EXTRAORDINARY SESSION
5th Day

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Yeas 25; Nays 0.

Yeas:

Senators:	Covington	Figures	Manley
Amari	deGraffenried	Foshee	Parsons
Barron	Denton	Goodwin	Rice
Bedford	Dial	Hale	Sanders
Bennett	Dixon	Hilliard	Smith (B)
Cabaniss	Drinkard	Horn	Smith (J)
Corbett	Ellis		

—25

Nays: —0

THE BILL:

S. 140. To amend section 11-52-32 of the Code of Alabama 1975 relating to planning, zoning and subdivisions, so as to provide further for the planning commissions of Class 1 municipalities to elect no less than three and no more than five of the members thereof to serve as a committee to approve or disapprove any plat presented to such commission.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Covington	Figures	Manley
Amari	deGraffenried	Foshee	Menton
Barron	Denton	Goodwin	Parsons
Bedford	Dial	Hale	Rice
Bennett	Dixon	Hilliard	Sanders
Cabaniss	Drinkard	Horn	Smith (B)
Corbett	Ellis		

—25

Nays: —0

THE BILL:

S. 141. To further amend Section 6 of Act No. 529 of the Legislature of Alabama of 1923, as codified in Title 62, Section 725, Code of Alabama 1940 (Recompiled 1958) and as amended by Act No. 87-788, to provide an expense allowance for members of the Park and Recreation Board of the City of Birmingham.

was taken up.

The Standing Committee on Local Legislation No. 2 reported the following substitute for the Bill, S. B. 141, to-wit:

SUBSTITUTE FOR S. B. 141

**A BILL
TO BE ENTITLED
AN ACT**

To further amend Section 6 of Act No. 529 of the Legislature of Alabama of 1923, as codified in Title 62, Section 725, Code of Alabama 1940 (Recomp.

1958) and as amended by Act No. 87-788 to provide an expense allowance for members of the Park and Recreation Board of the City of Birmingham.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 6 of Act No. 529 of the Legislature of Alabama of 1923, as codified in Title 62, Section 725, Code of Alabama 1940 (Recomp. 1958) and as amended by Act No. 87-788 is hereby amended to read in full as follows:

“There shall be established and constituted in accordance with the terms of this section a park and recreation board for the city. The planning of a park system, administration, improvement, development, conduct and supervision of the parks, park areas, park boulevards, playgrounds, recreational centers and other recreational activities of the city shall be vested in the park and recreation board of the city, which shall be composed of five members or commissioners, who shall be residents of such city, and four of whom shall not be members of the governing body of the city. Each commissioner of said board shall receive an expense allowance in the amount of Seventy-five and 00/100 Dollars (\$75.00) per meeting attended; provided, however, that board members shall not be paid such expense allowance for more than two meetings in any month. The president of said board shall receive an expense allowance of One Hundred and 00/100 Dollars (\$100.00) per meeting and the president shall not be paid such expense allowance for more than two meetings in any month. No commissioner who is also a member of the governing body of the City may receive this expense allowance. No accounting shall be required for such expense allowance. This expense allowance shall not be deemed to be compensation. This expense allowance shall qualify as per diem amount under Act No. 87-706 of the Legislature of Alabama of 1987. This expense allowance shall not reduce or limit the ability of the commissioners and president to receive reimbursement for further actual expense as approved by the Board. All commissioners shall be chosen solely because of their character and fitness. One member of the governing body of the city selected by such governing body shall at all times be a commissioner of said park and recreation board, provided that if there be in the city a member of the governing body whose department of the city government has the supervision of the parks of the city, such member shall by virtue of his office be a commissioner of the park and recreation board. Each of the other four commissioners of the park and recreation board first selected shall be chosen by the governing body of the city. The term of office of each commissioner of said board other than the one who is a member thereof by virtue of this membership in the governing body of the city shall be four years. As vacancies occur in the membership of the board by reason of the expiration of the terms of either of said four commissioners, or for any other reason, such vacancies shall be filled by nominations upon a majority vote of the governing body of the city, which nomination shall be certified to the park and recreation board and the remaining commissioners of the park and recreation board shall, by majority vote of such board within ten days of the receipt of the certification of nomination, appoint or decline to appoint the nominee of the governing body of the city to fill the vacancy in the park and recreation board which will exist by reason of the expiring term or otherwise. If the park and recreation board of the city declines to appoint the nominee of the governing body of the city it shall forthwith certify or cause to be certified to the governing body of the city such fact, and the governing body of the city forthwith in like manner shall make and certify another nomination to the park and recreation board of the city, and in like manner shall continue to

make and certify a nomination to the park and recreation board of the city, appoint a nominee of the governing body of the city and appoint or refuse to appoint the nominee as a commissioner of the park and recreation board, and each time the park and recreation board refuses to appoint a nominee of the governing body of the city as a commissioner of the park and recreation board, that fact must be certified to the governing body as required in the first instance."

2. This act shall become effective immediately.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Covington	Figures	Manley	
Amari	deGraffenried	Foshee	Menton	
Barron	Denton	Goodwin	Parsons	
Bedford	Dial	Hale	Rice	
Bennett	Dixon	Hilliard	Sanders	
Cabaniss	Drinkard	Horn	Smith (B)	
Corbett	Ellis			—25

Nays: —0

And said Bill, S. B. 141, as thus amended by the substitute, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Covington	Figures	Manley	
Amari	deGraffenried	Foshee	Menton	
Barron	Denton	Goodwin	Parsons	
Bedford	Dial	Hale	Rice	
Bennett	Dixon	Hilliard	Sanders	
Cabaniss	Drinkard	Horn	Smith (B)	
Corbett	Ellis			—25

Nays: —0

UNFINISHED BUSINESS

BILLS ON THIRD READING

The Senate proceeded to consideration of the Unfinished Business for today, which was the Bill:

S. 57. Proposing an amendment to Amendment No. 339 to the Constitution of Alabama of 1901, relating to sessions of the Legislature, so as to provide for a split annual session with only budgets, appropriations and revenue bills being considered during the first part; and repealing Amendment No. 448 relating to the paramount duty of the Legislature to make basic appropriations at regular sessions.

as amended, and pending substitute, which said amendment and substitute are set out in the Journal of the Senate for the Fourth Legislative Day. The question was on the substitute offered by Senators Foshee and Goodwin.

On motion of Senator Foshee, said substitute for the Bill, S. B. 57, as amended, was laid on the table.

Senators Foshee and Goodwin then offered the following substitute No. 2 for the Bill, S. B. 57, as amended, to-wit:

SUBSTITUTE NO. 2 FOR S. B. 57

A BILL TO BE ENTITLED AN ACT

Proposing an amendment to Amendment No. 448 of the Constitution of Alabama of 1901, as amended, which provides that the paramount duty of the legislature shall be to make basic appropriations at regular sessions so as to provide that the provision shall not take effect until the 16th legislative day of each regular session and it removes the provision allowing the legislature to pass a resolution (B. I. R.) suspending the provisions of this constitutional requirement.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The following amendment to Amendment No. 448 of the Constitution of Alabama of 1901, as amended, is proposed and shall become valid as a part thereof when approved by a majority of the qualified electors voting thereon and in accordance with Sections 284, 285 and 287 of the Constitution of 1901 as amended:

PROPOSED AMENDMENT

“Amendment No. 448

“(A) The following words and phrases, whenever used in this amendment, shall have the following respective meanings:

“‘Basic appropriations’ means, with respect to any regular session of the legislature, such appropriations as the legislature may deem appropriate for the expenditures by the state ~~during the ensuing budget period~~ for the ordinary expenses of the executive, legislative and judicial departments of the state, for payment of the public debt, and for education (excluding, however, any item within the scope of the foregoing that is at the time provided for by a continuing appropriation or otherwise).

“‘Budget period’ means a fiscal year of the state or such period other than [a] fiscal year as may hereafter be fixed by law as the period with respect to which state budgets are prepared and state appropriations are made.

“‘Revenue bills’ means any bill whose chief purpose is to create, increase, or decrease revenues.

“(B) On or before the second legislative day of each regular session of the legislature, beginning with the first regular session after January 1, 1983, the governor shall transmit to the legislature for its consideration a proposed budget for the then next ensuing budget period.

“(C) The duty of the legislature ~~at by the 16th legislative day of~~ any regular session to make the basic appropriations for any budget period that will commence before the first day of any succeeding regular session shall be paramount; and, accordingly, beginning with the 16th legislative day of

~~the first regular session held after January 1, 1983 1989, no bill (other than a bill making any of the basic appropriations bills and revenue bills) shall be signed by either the presiding officer of the house or senate and transmitted to the other house until bills making the basic appropriations for the then ensuing budget period shall have been signed by the presiding officer of each house of the legislature in accordance with Section 66 of this Constitution and presented to the governor in accordance with Section 125 of this Constitution; provided, that this paragraph (C) shall not affect the adoption of resolutions or the conduct of any other legislative functions that do not require a third reading; and provided further, that following adoption, by vote of either house of not less than three fifths of a quorum present, of a resolution declaring that the provisions of this paragraph (C) shall not be applicable in that house to a particular bill, which shall be specified in said resolution by number and title, the bill so specified may proceed to final passage therein.~~

“(D) No provision of this act shall apply to a special session of the Legislature.”

~~“(D) (E)~~ Upon the signing and presentation to the governor in accordance with the said Sections 66 and 125 of bills making the basic appropriations, the provisions of the foregoing paragraph (C) prohibiting the final passage of bills in the house and senate (other than bills making any part of the basic appropriations) shall cease to be effective and shall not be revived or become again effective as a result of (i) the subsequent legislative history of any bill so signed and presented, including any veto, return with executive amendment, or any other action, or failure to act, by either the governor or the legislature under the provisions of the said Section 125; or (ii) a determination, by either judicial decree or opinion of the justices of the Alabama Supreme Court, that any bill so signed and presented is wholly or in part invalid.

~~“(E) (F)~~ The legislature may, by statute or rule, make such further provisions for the timely passage of bills making the basic appropriations as are not inconsistent with the provisions of this Constitution.

~~“(F) (G)~~ Nothing contained herein shall be construed as requiring the legislature to make any appropriation not otherwise required by this Constitution to be made.”

Section 2. An election upon the proposed amendment is ordered to be held at the next general, special, primary or constitutional amendment election after the expiration of three months from final adjournment of the current session of the Legislature. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and the general election laws of this state.

Section 3. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in a newspaper in each county of the state. In every county in which no newspaper is published, a copy of the notice shall be posted at each courthouse and post office.

Senators Cabaniss and Bennett offered the following substitute for the Foshee and Goodwin substitute No. 2 for the Bill, S. B. 57, as amended, to-wit:

SUBSTITUTE FOR SUBSTITUTE NO. 2 FOR S. B. 57

**A BILL
TO BE ENTITLED
AN ACT**

Proposing an amendment to Amendment No. 339 to the Constitution of Alabama of 1901, relating to sessions of the Legislature, so as to provide for a split annual session with only budgets, appropriations and revenue bills being considered during the second part; and repealing Amendment No. 448 relating to the paramount duty of the Legislature to make basic appropriations at regular sessions.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The following amendment to Amendment No. 339 of the Constitution of Alabama of 1901, as amended, is proposed and shall become valid as a part thereof when approved by a majority of the qualified electors voting thereon and in accordance with Sections 284, 285 and 287 of the Constitution of 1901 as amended:

PROPOSED AMENDMENT

“Amendment No. 339.

“Section 1. As used in this amendment the term ‘basic appropriations’ shall mean such appropriations as the legislature may deem appropriate for the expenditures by the state during the ensuing budget period for the ordinary expenses of the executive, legislative and judicial departments of the state, for payment of the public debt, and for education (excluding, however, any item within the scope of the foregoing that is at the time provided for by a continuing appropriation or otherwise). It shall not include capital outlay appropriations.

“Section 2. (a) Special sessions of the Legislature convened in the manner provided by this Constitution shall be limited to 12 legislative days within 30 calendar days. Beginning in the year 1990, and annually thereafter, regular sessions of the Legislature shall be in two parts.

“1. The first part shall convene on the date prescribed by law and shall be limited to 15 legislative days within 56 calendar days.

“2. The second part of the regular session shall convene on the first Tuesday following 14 days after the final adjournment of the first part. It shall be limited to 15 legislative days within 49 calendar days. During said second part only budgets, appropriations and revenue bills shall be considered. In the event bills to make basic appropriations for any budget period that will commence before the second day of any succeeding regular session shall not pass the Legislature during this second part, the basic appropriations currently effective shall remain in effect and there shall be no further consideration of budgets, appropriations and revenue bills prior to the first day of the succeeding regular session unless the Governor calls a special session for such purpose prior to the beginning of the next fiscal year.

“(b) On or before the second legislative day of each regular session of the legislature, beginning with the first regular session after January 1, 1983,

the governor shall transmit to the legislature for its consideration a proposed budget for the then next ensuing budget period.

“(c) The Legislature may, by statute or rule, make such further provisions for the timely passage of bills making the basic appropriations as are not inconsistent with the provisions of this Constitution.

“(d) Nothing contained herein shall be construed as requiring the legislature to make any appropriation not otherwise required by this Constitution to be made.”

Section 2. Amendment No. 448 to the Constitution of Alabama of 1901, relating to the paramount duty of the Legislature to make basic appropriations at regular sessions, is hereby repealed.

Section 3. An election upon the proposed amendment is ordered to be held at the next general, special, primary or constitutional amendment election after the expiration of three months from final adjournment of the current session of the Legislature. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and the general election laws of this state.

Section 4. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in a newspaper in each county of the state. In every county in which no newspaper is published, a copy of the notice shall be posted at each courthouse and post office.

On motion of Senator Foshee, further consideration of the Bill, S. B. 57, as amended, and pending substitutes, was postponed subject to the call of the Chair.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 21. COMMENDING JOHN CLINTON HARRIS OF SCOTTSBORO, ALABAMA, FOR DISTINGUISHED SERVICE TO CIVILITAN INTERNATIONAL.

Also:

H. J. R. 22. MOURNING THE DEATH OF OAKLEY SHARP OF JACKSON COUNTY, ALABAMA.

Also:

H. J. R. 23. CONGRATULATING MRS. MYRTLE WORTHEN ON THE OCCASION OF HER 101ST BIRTHDAY.

Also:

H. J. R. 54. COMMENDING GOLF CHAMPION REX KEELING OF GADSDEN, ALABAMA.

Also:

H. J. R. 61. COMMENDING GENE STARNES OF GUNTERS-
VILLE, ALABAMA, FOR OUTSTANDING ACHIEVEMENT.

Also:

H. J. R. 69. COMMENDING MR. AND MRS. OLIVER FENISON
ON THEIR 70TH WEDDING ANNIVERSARY.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

RESOLUTION

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

S. R. 30. SPECIAL ORDER CALENDAR.

RESOLVED BY THE SENATE That the following bill in the order named shall be the paramount and continuing order of business taking precedence over all other matters for the fifth legislative day of the 1988 First Special Session only:

Inst Id	Page
H. 28	18
Education budget, provided	

On motion of Senator Drinkard, the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 3. RELATIVE TO THE PRINTING OF THE ACTS AND JOURNALS.

Also:

S. J. R. 10. NAMING THE BRIDGE ON STATE HIGHWAY 27, SOUTHWEST OF ABBEVILLE, ALABAMA, THE "CURETON BRIDGE".

Also:

S. J. R. 11. NAMING THE BRIDGE ON STATE HIGHWAY 27, SOUTHWEST OF ABBEVILLE, ALABAMA, THE "CURETON BRIDGE".

Also:

S. J. R. 16. COMMENDING THE ALABAMA SYMPHONY ORCHESTRA.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 5. COMMENDING JOAB THOMAS FOR DISTINGUISHED SERVICE TO THE UNIVERSITY OF ALABAMA.

Also:

S. J. R. 6. COMMENDING TRUMAN AND BOBBIE McCRELESS GLASSCO FOR OUTSTANDING ACHIEVEMENT AND COMMUNITY SERVICE.

Also:

S. J. R. 12. COMMENDING FORMER STATE REPRESENTATIVE GARY COOPER OF MOBILE, ALABAMA.

Also:

S. J. R. 13. COMMENDING THOMAS B. NORTON OF GULF SHORES, ALABAMA, FOR OUTSTANDING PROFESSIONAL SERVICE AND MUNICIPAL LEADERSHIP.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 14. NAMING THE BASEBALL FIELD AT CLEBURNE COUNTY HIGH SCHOOL IN HEFLIN, ALABAMA, IN HONOR OF ROBERT LUTHER MORTON.

Also:

S. J. R. 15. NAMING "FORT S. RALPH TERHUNE," ALABAMA ARMY NATIONAL GUARD ARMORY IN BIRMINGHAM, ALABAMA.

JOHN W. PEMBERTON,
Clerk.

SPECIAL ORDER

BILLS ON THIRD READING RESUMED

The Senate proceeded to consideration of the special, paramount, and continuing order of business for today, which was the Bill:

H. 28. To make annual appropriations for the support, maintenance and development of public education in Alabama and for debt service and capital improvements for the fiscal year ending September 30, 1989.

Senator Hand offered the following amendment to the Bill, H. B. 28, to-wit:

AMENDMENT TO H. B. 28

Amend House Bill 28 on page 65, after line 21 by inserting the following Section 7, and by re-numbering the remaining sections accordingly:

“Section 7. The Legislature hereby finds that of the appropriations made herein, the following enumerated amounts are appropriated from non-recurring revenues. All entities receiving such appropriations are hereby advised that the expenditure of such non-recurring funds should be for purposes which do not present continuing obligations.

Free Textbooks	2,000,000
Increase In Other Current Expense	5,000,000
Classroom Supplies	5,305,802
Maintenance	10,000,000
Library Enhancement	1,200,000
Vocational Education Equipment	4,000,000
Capital Facility Renovation	29,313,874
Salary Increase Locally Funded Units	5,250,000
University of Alabama System	8,556,702
Alabama A & M University	659,532
Alabama State University	656,491
Athens State College	133,587
Auburn University System	5,142,550
Jacksonville State University	731,446
Livingston University	240,658
University of Montevallo	399,886
University of North Alabama	550,433
University of South Alabama	1,706,953
Troy State University System	719,930
Junior & Technical College Systems	5,262,827
Alabama Commission on Higher Education—	
EPSCoR	2,000,000
Eminent Scholars	5,200,000
Special Industrial Job Training	4,100,000
Public Library Service	1,500,000
Council on Arts & Humanities	1,000,000

Institute for the Deaf & Blind 1,000,000

Alabama Special Educational Trust Fund
Reserve Account 21,000,000

On motion of Senator Horn, said amendment was laid on the table.

Senator Hale offered the following amendment to the Bill, H. B. 28,
to-wit:

AMENDMENT TO H. B. 28

Amend House Bill 28, on page 25, line 15, after the word "thirty" add
the word "consecutive."

On motion of Senator Horn, said amendment was laid on the table.

And said Bill, H. B. 28, was read a third time at length and passed.

Yeas 35; Nays 0.

Yeas:

Senators:	Campbell	Figures	Manley	
Amari	Corbett	Foshee	Menton	
Bailey	Covington	Goodwin	Mitchem	
Barron	deGraffenried	Hale	Parsons	
Bedford	Denton	Hand	Preuitt	
Bedsole	Dial	Hilliard	Rice	
Bennett	Dixon	Holmes	Sanders	
Bishop	Drinkard	Horn	Smith (B)	
Cabaniss	Ellis	Langford	Smith (J)	—35

Nays: —0

Senator Horn moved that the Senate reconsider the vote by which the
Bill, H. B. 28, was passed, and further moved that the motion to reconsider
be laid on the table. The motion to table prevailed.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said
Committee, in session, has compared the following enrolled Senate Bills with
the original Senate Bills, respectively, and finds same correctly enrolled, to-
wit:

S. 17. Proposing an amendment to the Constitution of Alabama of 1901
relating to authorizing the creation of a Lamar County Water Coordinating
and Fire Prevention Authority by a general or a local act of the Legislature.

Also:

S. 19. Proposing an amendment to the Constitution of Alabama of 1901
relating to authorizing the creation of a Fayette County Water Coordinating
and Fire Prevention Authority by a general or a local act of the Legislature.

Also:

S. 16. Proposing an amendment to the Constitution of Alabama of 1901
relating to authorizing the creation of a Franklin County Water Coordinating
and Fire Prevention Authority by a general or a local act of the Legislature.

Also:

S. 18. Proposing an amendment to the Constitution of Alabama of 1901 relating to authorizing the creation of a Winston County Water Coordinating and Fire Prevention Authority by a general or a local act of the Legislature.

BILL DRINKARD,
Chairperson.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing report from the Committee on Rules.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 11. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Decatur, in Morgan County.

Also:

S. 12. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Hartselle, in Morgan County.

Also:

S. 25. Relating to Franklin County; to provide for additional expense allowances for members of the board of registrars and to provide for its retroactive effect.

Also:

S. 31. Relating to Etowah County; providing for the establishment of a consolidated and unified system for assessment and collection of taxes under the supervision of an elected county official designated as county revenue commissioner; providing for the compensation of such official; abolishing the offices of tax assessor and tax collector; repealing conflicting laws; and providing for a referendum thereon.

Also:

S. 33. Providing for the filling of vacancies, for whatever nature, in the public offices in Etowah County; prescribing the election procedure for certain vacancies for more than one year remaining; prescribing the manner of operating any vacant office for an unexpired term of less than a year; and repealing conflicting laws.

BILL DRINKARD,
Chairperson.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing report from the Committee on Rules.

RESOLUTION

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

S. R. 31. SPECIAL ORDER CALENDAR.

RESOLVED BY THE SENATE That the following bills in the order named shall be the paramount and continuing order of business taking precedence over all other matters upon reaching bills on third reading for the fifth legislative day of the 1988 First Special Session only:

Inst Id	Page
H. 65	18

Teachers, cost of living pay increase.

On motion of Senator Bedford, the Resolution was adopted by the Senate.

SPECIAL ORDER

BILLS ON THIRD READING RESUMED

The Senate proceeded to consideration of the second special, paramount, and continuing order of business for today, which was the Bill:

H. 65. To provide a seven and one-half percent (7.5%) pay increase for certain public education employees with the beginning of the 1988-89 fiscal year; to provide a continuing pay increase provision for those teachers who have gained or may gain "continuing service status" or attain five years teaching experience in public schools and institutions; to define "continuing service status" for pay purposes only; to provide a seven and one-half percent (7.5%) increase for full-time personnel on all Salary Schedules in all public two-year colleges; to grant two-year college personnel credit for prior work experience; to prescribe a manner for payment; to establish miscellaneous pay provisions; and to provide an effective date.

And said Bill, H. B. 65, was read a third time at length and passed.

Yeas 35; Nays 0.

Yeas:

Senators:	Campbell	Figures	Manley
Amari	Corbett	Foshee	Menton
Bailey	Covington	Goodwin	Mitchem
Barron	deGraffenried	Hale	Parsons
Bedford	Denton	Hand	Preuitt
Bedsole	Dial	Hilliard	Rice
Bennett	Dixon	Holmes	Sanders
Bishop	Drinkard	Horn	Smith (B)
Cabaniss	Ellis	Langford	Smith (J)

—35

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Williams and Mathis:

H. 15. Relating to the eradication and control of swine diseases; to make a conditional appropriation to the Department of Agriculture and Industries for the fiscal year ending September 30, 1989, to indemnify owners of swine for the value of any swine ordered condemned and destroyed for the prevention and eradication of the disease of hog cholera, African swine fever and other swine diseases.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 15—to the Committee on Agriculture, Conservation, and Forestry

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Holley:

H. 126. To amend sections 16-31-1 and 16-31-4 of the Code of Alabama 1975 relating to the American Legion Scholarships so as to increase the value of the scholarships and to increase the number of scholarships awarded, except for persons currently receiving the scholarships shall remain at the current rate.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 126—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Rep. Harper:

H. 47. To amend sections 27-4-4 and 27-4-5, Code of Alabama 1975, so as to delete provisions allowing insurance companies to deduct examination expenses from premium taxes.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 47—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Williams, Carter, Turnham, Richardson, Junkins, Wright, Harper, and Mathis:

H. 12. To amend Section 16-3-9, Code of Alabama 1975, which provides for the expense allowance for members of the state board of education, so as to increase said allowance.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 12—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Hettinger, Hall, Grayson, Butler, and Freeman (With Notice and Proof):

H. 284. To authorize the City of Huntsville to acquire and operate passenger excursion trains upon the tracks of any public or private railroad within Madison County based upon agreements for such operation between the city and any such public or private railroad corporation or other entity.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 284, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,
Clerk.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 284—to the Committee on Local Legislation No. 1

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Rep. Harper:

H. 43. This bill provides for a supplemental appropriation of \$80,000 from the state general fund to the State Treasurer's Office for the fiscal year ending September 30, 1988.

Also:

By Rep. Harper:

H. 45. To make a supplemental appropriation to the Alabama Real Estate Commission from the Real Estate Commission Fund for capital outlay for the fiscal year ending September 30, 1988.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 43 and 45—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Knight:

H. 116. To authorize advance payments for the expenses of members and employees of local boards of education and to prescribe the methods for such advance expenditures.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 116—to the Committee on Finance and Taxation

ADJOURNMENT

At 5:05 P.M., on motion of Senator Corbett, the Senate adjourned until Wednesday, September 7, 1988, at 11 o'clock A.M.

SIXTH LEGISLATIVE DAY
WEDNESDAY SEPTEMBER 7, 1988

The Senate met pursuant to adjournment, Lieutenant Governor Folsom presiding.

PRAYER

The Session was opened with prayer by Mr. Charles Moore, Steward, Hall Memorial C.M.E. Church, Montgomery, Alabama.

PLEDGE OF ALLEGIANCE

The Senators were led in the Pledge of Allegiance to the Flag of the United States of America by Ashley Cravey, Brewbaker Junior High School, Montgomery, Alabama.

ROLL CALL

Present:

Senators:	Campbell	Figures	Menton
Amari	Corbett	Foshee	Mitchem
Bailey	Covington	Goodwin	Parsons
Barron	deGraffenried	Hale	Preuitt
Bedford	Denton	Hand	Rice
Bedsole	Dial	Hilliard	Sanders
Bennett	Dixon	Horn	Smith (B)
Bishop	Drinkard	Langford	Smith (J)
Cabaniss	Ellis	Manley	

—34

JOURNAL

On motion of Senator deGraffenried, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

**REPORT OF COMMITTEE
ON RULES ON
REVISION OF THE JOURNAL**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Fifth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

BILL DRINKARD,
Chairperson.

COMMITTEE REPORT

On motion of Senator Drinkard, the foregoing report was concurred in and the Journal of the Senate for the Fifth Legislative Day was approved by the Senate.

LEAVE OF ABSENCE

On motion of Senator deGraffenried, leave of absence was granted Senator Holmes for today.

**REPORT OF
COMMITTEE ON RULES**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following engrossed Senate Bill with the original Senate Bill, and finds same correctly engrossed, to-wit:

S. 141. To further amend Section 6 of Act No. 529 of the Legislature of Alabama of 1923, as codified in Title 62, Section 725, Code of Alabama 1940 (Recomp. 1958) and as amended by Act No. 87-788 to provide an expense allowance for members of the Park and Recreation Board of the City of Birmingham.

BILL DRINKARD,
Chairperson.

RECESS

At 11:10 A.M., on motion of Senator deGraffenried, the Senate took a recess until 1 o'clock this afternoon.

The recess period having expired, the Senate was called to order by Lieutenant Governor Folsom. A quorum of the Senate was present.

BILLS ON THIRD READING

Senator Dial requested and received permission to suspend the Rules in order to bring up the Bill:

S. 42. To amend Section 37-1-47 of the Code of Alabama 1975, relating to Public Service Commission intervention in certain federal proceedings, so as to provide further for participation in federal proceedings by the Public Service Commission.

And said Bill, S. B. 42, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 18; Nays 0.

Yeas:

Senators:	Cabaniss	Dixon	Hand	
Amari	Campbell	Drinkard	Manley	
Bailey	Covington	Foshee	Menton	
Bedsale	deGraffenried	Goodwin	Preuitt	
Bennett	Dial	Hale		—18

Nays: —0

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Joint Resolutions with the original Senate Joint Resolutions, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 3. RELATIVE TO THE PRINTING OF THE ACTS AND JOURNALS.

Also:

S. J. R. 5. COMMENDING JOAB THOMAS FOR DISTINGUISHED SERVICE TO THE UNIVERSITY OF ALABAMA.

Also:

S. J. R. 6. COMMENDING TRUMAN AND BOBBIE McCRELESS GLASSCO FOR OUTSTANDING ACHIEVEMENT AND COMMUNITY SERVICE.

Also:

S. J. R. 10. NAMING THE BRIDGE ON STATE HIGHWAY 27, SOUTHWEST OF ABBEVILLE, ALABAMA, THE "CURETON BRIDGE".

Also:

S. J. R. 11. NAMING THE BRIDGE ON STATE HIGHWAY 27, SOUTHWEST OF ABBEVILLE, ALABAMA, THE "CURETON BRIDGE".

Also:

S. J. R. 12. COMMENDING FORMER STATE REPRESENTATIVE GARY COOPER OF MOBILE, ALABAMA.

Also:

S. J. R. 13. COMMENDING THOMAS B. NORTON OF GULF SHORES, ALABAMA, FOR OUTSTANDING PROFESSIONAL SERVICE AND MUNICIPAL LEADERSHIP.

Also:

S. J. R. 15. NAMING "FORT S. RALPH TERHUNE," ALABAMA ARMY NATIONAL GUARD ARMORY IN BIRMINGHAM, ALABAMA.

Also:

S. J. R. 14. NAMING THE BASEBALL FIELD AT CLEBURNE COUNTY HIGH SCHOOL IN HEFLIN, ALABAMA, IN HONOR OF ROBERT LUTHER MORTON.

Also:

S. J. R. 16. COMMENDING THE ALABAMA SYMPHONY ORCHESTRA.

BILL DRINKARD,
Chairperson.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolutions, the titles of which are set out in the foregoing report from the Committee on Rules.

INTRODUCTION OF BILLS

Upon the call of districts, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Senator deGraffenried:

S. 201. To amend Act No. 88-475, H. 747, 1988 Regular Session, which act creates the Alabama Mental Health Finance Authority and provides for mental health projects of the Authority, and financing of such projects; so as to authorize the Authority to enter into any necessary financial instruments or obligations with the Retirement Systems of Alabama in order to secure financing for the funding of projects of the Authority; and to provide that tax proceeds derived from sections 40-2-1 and 40-25-41, Code of Alabama 1975, or any subsequent tobacco tax, shall be primarily pledged for the payment of principal and interest on any said financing agreement.

Committee on State Development and Tourism.

By Senator Bedford (With Notice and Proof):

S. 202. Relating to Franklin County; amending Act No. 88-562, S. 667, 1988 Regular Session (Acts 1988, p. 881), levying a county privilege, license or excise tax on the sale, distribution, storage, use or other consumption of tobacco and certain tobacco products in such county, so as to provide further for the collection and enforcement of the tax; and for the distribution of the proceeds therefrom.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 202, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,
Secretary.

By Senators Mitchem, Parsons, Preuitt, Horn, Hilliard, Hale, and Dial:

S. 203. Abolishing the office of chancellor of the University of Alabama system.

Committee on Finance and Taxation.

By Senator Barron (With Notice and Proof):

S. 204. Relating to the city of Fort Payne, DeKalb County, Alabama; authorizing such city the rights to establish, purchase, construct, maintain and operate a television cable service for their residents and within its corporate jurisdiction; authorizing the City of Fort Payne to utilize certain eminent domain powers within its jurisdiction with respect to the establishment, purchasing, constructing, maintaining and operation of a television cable service.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 204, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,
Secretary.

By Senators Rice, Mitchem, Bedford, Denton, Preuitt, Hale, Campbell, Ellis, Goodwin, Bailey, Barron, Smith (B), Foshee, Parsons, Bennett, Manley, Amari, Dixon, and Sanders:

S. 205. To provide for a supplemental appropriation of \$225,000 from the Alabama Special Educational Trust Fund to the State Department of Education for the payment of salaries of locally-funded educational personnel in the Adult Basic Education/Community Education Program for the fiscal year ending September 30, 1989.

Committee on Finance and Taxation.

By Senators Cabaniss, Parsons, Horn, Bennett, Amari, and Hilliard:

S. 206. To amend Section 40-12-223, Code of Alabama 1975, for the purpose of exempting from the leasing tax imposed by Sections 40-12-220 through 40-12-227, Code of Alabama 1975, the gross proceeds derived from the leasing of tangible personal property pursuant to a sale-lease back financing that meets certain conditions, including the initial acquisition of such property by the lessee or by an entity controlled by, or under common control with, the lessee, the subsequent sale of such property to the lessor, and the leasing back of such property from the lessor by the lessee pursuant to a lease which, among other things, has a term of not less than fifteen years and does not constitute a sale for either Alabama or federal income tax purposes or both.

Committee on Finance and Taxation.

By Senator Hilliard (With Notice and Proof):

S. 207. To allow any municipality having a population of 300,000 inhabitants or more according to the last or any subsequent federal census, and acting pursuant to the authority granted by Act No. 105 of the 1971 Third Special Session of the Alabama Legislature, to authorize independent contractors to abate public nuisances caused by noxious or dangerous weeds without complying with the competitive bid law.

Committee on Local Legislation No. 2.

I hereby certify that the notice and proof is attached to the Bill, S. B. 207, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,
Secretary.

BILLS RE-REFERRED

Senator Bedsole, Chairperson of the Standing Committee on Agriculture, Conservation, and Forestry, reported that said Committee, in session, had acted on the Bills, S. B.'s 190, 153, 123, and H. B. 15, and returns same herewith to the Senate with the recommendation that they be re-referred to another Committee.

And the President and Presiding Officer of the Senate ordered said Bills, S. B.'s 190, 153, 123, and H. B. 15, re-referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Rep. Marietta:

H. 57. To amend Section 36-13-12 of the Code of Alabama 1975, providing pension for widows of governors, so as to provide further for the amount of such pension and to provide such pension for certain widowers of governors.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 57—to the Committee on Rules

REPORTS OF COMMITTEES

Senator Foshee, Chairperson of the Standing Committee on Business and Labor Relations, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senators Bennett, Bedford, Dial, Dixon, Hale, Horn, Langford, and Campbell:

S. 126. To amend Section 22-27-5, Code of Alabama 1975, as amended, relating to solid waste disposal fees, permits and bonds, so as to prescribe certain minimum surety bond requirements for out-of-state shippers of household garbage, in order to protect the health, safety and welfare of the citizens of this state.

By Senators Mitchem and Barron:

S. 26. To establish an asbestos contractor accreditation plan for Alabama in compliance with Title II, Section 206 of the Toxic Substances Control Act of the United States (15 U.S.C.A. §2646); to designate the Safe-State Program, a division of the University of Alabama, as the state agency to administer the plan; to provide the agency certain powers and authority; and to require certain notification and documentation of accreditation of asbestos contractors to the Alabama Department of Environmental Management.

Senator Covington, Chairperson of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable

report, and they were severally read a second time and placed on the calendar, to-wit:

By Reps. Bugg, Junkins, and Ford (With Notice and Proof):

H. 178. Relating to Etowah County; to authorize the probate judge to set the fee for supplying a copy of an instrument; to place the proceeds from the fees in a special fund and provide for its use.

By Rep. Campbell:

H. 285. To propose an amendment to the Constitution of Alabama of 1901, to authorize the governing body of the City of Anniston in Calhoun County to appropriate public funds to the East Alabama United Cerebral Palsy Center.

The above Bill was read a second time at length as required by the Constitution.

By Reps. Bugg and Junkins (With Notice and Proof):

H. 302. Relating to Etowah County, providing further for the expense allowance of the constable and providing for a retroactive effect.

By Rep. Black (With Notice and Proof):

H. 170. To authorize the Greene County Board of Health to designate the services rendered by the County Health Department for which a reasonable fee may be charged and to set the appropriate fee for each service. No citizen shall be denied any service because of that person's inability to pay.

By Reps. Blakeney and Black (With Notice and Proof):

H. 264. To authorize the Choctaw County Board of Health to designate the services rendered by the County Health Department for which a reasonable fee may be charged and to set the appropriate fee for each service. No citizen shall be denied any service because of that person's inability to pay.

Senator Manley, Chairperson of the Standing Committee on Governmental Affairs, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senators Bennett, Bedford, Goodwin, Campbell, and Langford:

S. 95. To amend Sections 17-13-7, 17-16-35, 17-16-36, 17-17-2, 17-19-4, and 17-20-3, Code of Alabama, 1975, relating to the reporting of election results to the secretary of state so as to stipulate that the results will be reported by precincts.

By Senator Manley:

S. 103. To adopt and incorporate into the Code of Alabama 1975 those general and permanent laws of the state enacted during the 1987 Regular Session of the Legislature, as contained in the 1987 Cumulative Supplement to certain volumes of the Code and in the 1987 Replacement Volumes 7, 7A and 13 of the Code; to make corrections in certain volumes of such cumulative supplement and replacement volume 13; and to reorganize Article

5, Chapter 12, Title 13A, and Chapter 2, Title 20, as appearing in Volumes 12 and 14, respectively, of such cumulative supplement, so as to place the principal drug crime statutes in Title 13A, the Alabama Criminal Code.

By Senator Manley:

S. 105. To amend §1-3-8 of the Code of Alabama 1975, so as to further provide for State holidays in this state; to provide that National Memorial Day shall be a legal holiday in this state and for the celebration of Confederate Memorial Day and Jefferson Davis' birthday on such day; to further provide for the celebration of Mardi Gras in this state; and to provide for personal leave days for State employees in lieu of certain holidays.

Senator Manley, Chairperson of the Standing Committee on Governmental Affairs, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Senators Bennett, Cabaniss, Foshee, Denton, Rice, Drinkard, Holmes, Amari, Campbell, Langford, and Bishop (With Substitute):

S. 131. Relating to elections; to establish, operate and maintain a statewide voter file maintenance system as a service to county boards of registrars to assist them in updating their voter lists and to provide that this act shall be supplemental to existing election laws.

Senator Manley, Chairperson of the Standing Committee on Governmental Affairs, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Manley:

S. 161. To require county governing bodies to establish precincts, wards and voting districts based on clearly visible, definable and observable physical boundaries based on U. S. Census Bureau criteria not later than March 15, 1989; to provide for participation by Alabama in programs of the Census Bureau for census data for purposes of reapportionment; to define terms; to require the counties to provide and maintain maps of said precincts, wards and voting districts to the probate judge, board of registrars and the secretary of state; to provide for the maximum number of voters in voting districts; to provide for the designation of places of voting; to require the certification of lists of eligible voters by the probate judge; to provide for boxes and machines for elections; to provide for the posting of boundaries of precincts, wards or voting places and for the changing of precinct, ward and voting district boundaries and changes in places of voting; to provide for the enforcement of this act; to provide that the Reapportionment Task Force shall be the official state liaison between the state, the counties and the U.S. Census Bureau for purposes of implementing the provisions of this act; to require cooperation by all county, municipal and state agencies and officials with the Reapportionment Task Force; and to specifically supersede and repeal Sections 17-5-1 through 17-5-13, Code of Alabama 1975, effective March 15, 1989.

By Senator Rice:

S. 157. To amend Section 40-12-252, Code of Alabama 1975, relating to the annual license taxes and registration for certain trailers, so as to

provide an option of five-year registration for truck trailers, tractor trailers or semi-trailers.

By Senator Rice:

S. 147. To amend Section 35-12-32, Code of Alabama 1975, relating to the Alabama Uniform Disposition of Unclaimed Property Act, so as to require that the Revenue Department establish a list of unclaimed property owners to assist individuals or organizations engaged in the practice of seeking, for a fee, the owners of abandoned or unclaimed property reported to the State; to establish the fee which a "finder" may charge an abandoned or unclaimed property owner; to authorize a charge to offset the cost of producing the listing; and to provide for the disposition of revenue received from listing sales.

By Senator Corbett:

S. 167. To regulate nonsewered toilet systems and require the provision of toilets or nonsewered toilet systems at certain work sites and special events; to provide a short title; to provide for a statement of intent; to provide for findings; to provide for definitions; to provide requirements for the operation of a nonsewered toilet service; to provide for licenses and fees; to provide for storage and maintenance of equipment and areas therefor; to provide for inspections; to provide for permits; to provide requirements for the provision of sewerred or nonsewered toilets; to provide standards for the location, construction, operation, servicing, and maintenance of nonsewered toilets; to provide for disposal of waste; to provide for enforcement; to provide for rules and regulations; to provide for penalties; and to repeal conflicting laws.

By Senator Bailey:

S. 186. To amend Sections 1.03, 3.02, 3.14, 4.01, 4.02, 6.02 and 10.01 of Act No. 88-445, H. 963 of the 1988 Regular Session appearing in Article 1 of Chapter 44E of Title 11, Code of Alabama 1975, providing for a Mayor/Commission/City Manager form of government for Class 5 municipalities upon adoption by a municipality, so as to further provide for said form of government for Class 5 municipalities.

By Senator Langford:

S. 173. To provide that any member of the teachers' or employees' retirement system of Alabama not presently covered by a provision to convert unused sick leave into membership service for purposes of service retirement may do so under the provisions of Section 36-26-36.1, Code of Alabama 1975, as amended, provided that no employee of an employer participating pursuant to Section 36-27-6, Code of Alabama 1975, as amended, which section provides for county, city, towns and other employers, shall be entitled to the benefits provided in this act unless such employer elects to come under the provisions of said act.

By Senator Ellis:

S. 188. To provide a comprehensive system of law applicable to all counties in this state defining the powers of any such counties to construct improvements or reimprovements consisting of streets or any portions thereof, sanitary sewers and sewer systems and water and gas mains and service connections, drainage improvements or drainage systems and the filling in of swamps or inundated or overflowed or submerged lands, ornamental lighting

systems or white way systems of lighting and the construction, acquisition, improvement and extension of seawalls, dikes, levees and embankments in such counties; to provide a method for the assessment of the cost of any such improvement against the property abutting on, or drained, served, or benefited by such improvement; to require the adoption of a resolution describing the improvement and the property abutting on, or the area to be drained, served or benefited by such improvement; to require the filing of plans and specifications for such improvement; to provide for publication and mailing of notice of the adoption of the said resolution; to provide for a public hearing on such improvement; to provide for payment of the cost of the improvement; to provide for the establishment of the grade of certain streets, avenues, alleys or sidewalks to be improved; to provide for public advertisement for bids for the construction of the improvement unless the county shall perform the work or provide materials from its own resources; to provide that the county commission must accept or reject work on the part of the county; to provide for supervision of the work; to provide for the levy of assessments on the property abutting on or drained, served or benefited by any improvement; to provide for the assessment against lands purchased by the state; to provide the manner of assessments generally; to provide for improvements of intersections of streets, avenues or other highways; to provide for sidewalk improvements; to provide for the preparation of a list of owners and parcels to be assessed, and publication of notice of such list; to provide for the entry of the list in an assessment book for local improvements; to provide for the delivery of the assessment book to the county clerk and the publication of notice as to delivery and inspection of such book; to provide for notice of hearing of objections; to provide for the contents of the notice as to the hearing on assessments for improvements; to provide for any defects or errors therein; to provide for the filing of written objections to assessments by property owners; to provide for a hearing on the proposed assessments and making the same final; to provide for the powers of the commission as to the subpoena of witnesses; to provide for the establishment of a lien on the property subject to the assessments and for the priority thereof; to provide for the reduction or abatement of certain assessment; to provide for procedures with respect to erroneous assessments and assessments in excess of benefits derived; to authorize the transfer and assignment of such liens, and for the enforcement thereof; to specify other provisions with respect to such liens; to provide for the effect of enforcement of tax liens upon property subject to assessment liens and the duration of assessment liens; to provide for the effect of sale of property for enforcement of an assessment lien upon other assessment liens upon the same property; to provide a system for appeals from the making of such final assessment; to provide for bond on appeal; to provide for entry on trial docket of appeal; to provide for the transcript for appeal; to provide for prima facie evidence on appeal; to provide for the conduct of appeal, right of jury trial and the entry of judgment and assessment of costs generally; to provide for the entry of judgment for amounts properly chargeable against lands where the assessment is defective; to provide for appeals from the judgment of the circuit court; to provide for the addition of interest and damages upon affirmance of judgment for the county; to provide that the county may appeal from any judgments of the circuit court without giving bond; to provide for the issuance of execution and order of sale upon entry of final judgment in favor of the county; to provide a system for payment of all such assessments and for default in such payments; to provide for proceedings for sale of land upon failure of owner to pay assessment; to provide for the payment of assessments prior to sale; to provide that the costs of notice and sale are to be charged against the land; to provide for the execution of a deed to

the purchaser at such sale; to provide for the effect of error and defect of notice of sale; to provide for the redemption of property after sale generally; to provide for the extension of the redemption period; to provide for the application for filing of certificate of warning to redeem upon the record of local improvement assessment sale deed; to provide for the mailing of copies of deed and certificate to persons last assessed upon property described in deed by probate judge; to provide for the redemption of property during extended redemption period; to provide for the performance of duties of the probate judge; to provide for the redemption of property; to provide for the making of temporary loans or issuance of bonds before or during progress of work to pay for cost of improvement; to provide for the issuance of bonds after completion of work; to provide for the applicability of provisions of law as to issuance of county bonds generally; to provide for the issuance of bonds generally; to provide for the maturity and payments of such bonds; to provide for the disposition of proceeds from the sale of bonds; to provide for the grouping of improvements for the issuance of bonds; to provide for the maintenance and disposition of sinking fund accounts for bond issues; to provide for the bond of the officer charged with the collection of assessments; to provide for the redemption of bonds; to provide for the refunding of excess assessments; to provide a limitation period for presentation of claims and disposition of amounts not refunded; to provide for the settlement, adjustment or refunding of bonds; to provide for the consolidation of separate outstanding issues or issuance of refunding bonds; to provide for the maintenance and disposition of sinking fund accounts for refunding bond issues; to grant to any county the right of eminent domain with respect to improvements; to provide that this Act shall not affect the powers of counties to compel property owners to repair sidewalks; to provide for apportionment of assessments against property for public improvements among joint owners thereof; to provide for a petition of a tenant in common for division of an assessment among joint owners of property; to provide for a division of assessment among the tenants in common; to provide for a notice to property owners of division of assessment; to provide for appeals from division of assessment; to provide for correction of description of ownership of property and reduction of an assessment; to provide for the effect of reduction upon an assessment lien; to provide for the effect of annexation and incorporation of an area in which assessments have been made; to amend Section 11-28-3, Code of Alabama 1975, as amended, relating to the issuance of warrants by counties so as to provide for the pledge of assessments for the benefit of such warrants; to provide for severability of the provisions of this Act and for the repeal of inconsistent laws; and to establish the effective date of this Act.

Senator Manley, Chairperson of the Standing Committee on Governmental Affairs, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Senator Smith (B) (With Amendment):

S. 189. To further amend Section 40-3-7, Code of Alabama 1975, as amended, relating to term of service of schedule and compensation for members of the several county boards of equalization, so as to further provide for certain of those members whose counties have had an increase in population and total taxable property, 196,966 inhabitants and in excess of \$862,000, respectively, based on the latest available official figures; and to provide for the effective date.

Senator Manley, Chairperson of the Standing Committee on Governmental Affairs, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Bedsole:

S. 198. To allow as a cost saving measure the State of Alabama to purchase a blanket bond to cover all notaries public within state government, to provide for the termination of an employee's notary commission upon separation from state government, to require notification and to relieve the probate judge of certain liability.

By Rep. Buskey (JL):

H. 222. Relating to the Alabama Sunset Law; to continue the existence and functioning of the board of heating and air conditioning contractors as provided in Sections 34-31-18 through 34-31-34, Code of Alabama 1975, with certain modifications; to amend Sections 34-31-18, 34-31-19, 34-31-21(g), 34-31-24, 34-31-28 and 34-31-31, Code of Alabama 1975, so as to: distinguish the function of install from service and repair; to delete all references to "registered" contractors; to correct an erroneous code subsection reference; and to provide further for the exemption period for taking examinations of the board for certain contractors having at least two years of experience (grandfather clause).

Senator Horn, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar to-wit:

By Senators Bedford, Corbett, Bennett, Drinkard, Amari, Langford, deGraffenried, Denton, Menton, Hilliard, Parsons, Goodwin, Foshee, Sanders, Campbell, Covington, Figures, Smith (J), Holmes, Dixon, Bailey, and Ellis:

S. 21. To provide further a salary increase for certain state employees and to appropriate funds therefor for the fiscal year ending September 30, 1989.

By Reps. White (G), Beers, Spratt, Seibels, Curry, Logan, Petelos, Newton, Perdue, Gray, McDowell, McClain, and Payne:

H. 155. To make a supplemental appropriation from the Alabama Special Education Trust Fund to the Children's Hospital of Alabama in Birmingham, Alabama, for the fiscal year 1988-89, and to require an operations plan and audited financial statement prior to release of any funds.

By Senator Horn:

S. 199. To amend Act No. 87-761 of the 1987 Regular Legislative Session as it amended Section 4 of Act No. 86-645 1st Special Session, 1986, concerning the repayment of funds transferred from Fund No. 305735 by said Act.

By Rep. Harper:

H. 42. To provide for the creation of a special account to which the Legislature shall appropriate certain funds to prevent proration of the Alabama Special Educational Trust Fund; to prescribe criteria and procedures

for withdrawals from such account in years of proration or in emergency situations as may be determined by the Legislature; to make annual appropriations to such account until a certain amount is established and to provide that such amount shall be maintained in separate trust from year to year except during years of proration in the Alabama Special Educational Trust Fund and in emergencies; to prescribe procedures and criteria for reimbursement to such account after withdrawals; to provide for an effective date; and to repeal conflicting provisions.

By Rep. Harper:

H. 35. To make an appropriation from the Alabama Special Educational Trust Fund in the amount of \$400,000 to Children and Womens Hospital for the fiscal year ending September 30, 1989 and to require an operations plan and audited financial statement prior to release of any funds.

By Senator Sanders:

S. 192. To establish a School Breakfast Program.

By Rep. Haynes:

H. 211. To make an appropriation for the support and maintenance of Talladega College for the fiscal year ending September 30, 1989.

By Rep. Hogan:

H. 210. To make an appropriation for the support and maintenance of Walker County Junior College for the fiscal year ending September 30, 1989.

By Rep. Bryant:

H. 200. To make an appropriation for the support and maintenance of Marion Military Institute for the fiscal year ending September 30, 1989.

By Rep. Johnson (RG):

H. 72. To make an appropriation for the support and maintenance of Sylacauga Nurses Training School for the fiscal year ending September 30, 1989.

By Reps. White (L) and Turnham:

H. 21. To make an appropriation for the support and maintenance of Lyman Ward Military Academy for the fiscal year ending September 30, 1989.

Senator Horn, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Rep. Reed (With Amendment):

H. 153. To make an appropriation for the support and maintenance of Tuskegee University for the fiscal year ending September 30, 1989.

Senator Horn, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with

substitute, with amendments, and it was read a second time and placed on the calendar, to-wit:

By Rep. Harper (With Substitute) (With Amendments):

H. 34. To make an appropriation for the support and maintenance of the Special Schools for Special Education for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

Senator Horn, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Rep. Harper (With Substitute):

H. 36. To make an appropriation from the State General Fund and the Alabama Special Educational Trust Fund for the fiscal year 1988-89 for the use of a sickle cell education program.

Senator Horn, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Reps. Williams, Carter, Turnham, Richardson, Junkins, Wright, Harper, and Mathis:

H. 12. To amend Section 16-3-9, Code of Alabama 1975, which provides for the expense allowance for members of the state board of education, so as to increase said allowance.

By Rep. Harper:

H. 43. This bill provides for a supplemental appropriation of \$80,000 from the state general fund to the State Treasurer's Office for the fiscal year ending September 30, 1988.

By Rep. Harper:

H. 45. To make a supplemental appropriation to the Alabama Real Estate Commission from the Real Estate Commission Fund for capital outlay for the fiscal year ending September 30, 1988.

By Rep. Harper:

H. 47. To amend sections 27-4-4 and 27-4-5, Code of Alabama 1975, so as to delete provisions allowing insurance companies to deduct examination expenses from premium taxes.

By Senators Smith (J), Covington, and Parsons:

S. 64. To provide a salary increase for certain state employees and to appropriate funds therefor for the fiscal year ending September 30, 1989.

By Rep. Holley:

H. 126. To amend sections 16-31-1 and 16-31-4 of the Code of Alabama 1975 relating to the American Legion Scholarships so as to increase the value of the scholarships and to increase the number of scholarships awarded,

except for persons currently receiving the scholarships shall remain at the current rate.

By Rep. Knight:

H. 116. To authorize advance payments for the expenses of members and employees of local boards of education and to prescribe the methods for such advance expenditures.

RESOLUTIONS

Senator Goodwin offered the following Senate Joint Resolution, to-wit:

S. J. R. 32. URGING THE NCAA TO ADOPT A RULE MANDATING THAT ITS MAJOR COLLEGE AND UNIVERSITY MEMBERS SHALL DENY ADMISSION AFTER 1992 TO THOSE ATHLETES WHO CANNOT SATISFY ITS ACADEMIC ADMISSION STANDARDS AND FURTHER URGING THE PRESIDENTS OF THE MEMBER UNIVERSITIES OF THE SOUTHEASTERN CONFERENCE TO WITHHOLD IMPLEMENTATION OF THEIR RECENT DECISION THAT WOULD DENY SUCH ATHLETES ADMISSION TO THEIR UNIVERSITIES AFTER 1992 UNTIL SUCH TIME AS THE NCAA REQUIRES ALL OF ITS MAJOR COLLEGE AND UNIVERSITY MEMBERS TO USE THE SAME ACADEMIC ADMISSION STANDARDS FOR ATHLETES.

WHEREAS, the Southeastern Conference is nationally recognized for its rich tradition of intercollegiate athletic excellence; and

WHEREAS, the member universities of the SEC compete athletically against colleges and universities that are not in the SEC; and

WHEREAS, a vast majority of the nonconference athletic opponents of SEC Universities continue to allow those athletes who are designated as "partial-qualifiers" under current NCAA admission standards to enter their universities in a status whereby they are ineligible to participate in athletics during their Freshman year; and

WHEREAS, certain athletic programs at major NCAA colleges and universities have become great sources of revenue for their respective schools in recent years; and

WHEREAS, the success of these athletic programs is predicated on the program's ability to maintain a high degree of competence through the recruitment of outstanding athletes; and

WHEREAS, each year many "blue-chip" athletes that possess enough individual talent to bring immediate success to a program, fall into the "partial-qualifier" category which under the recent decision of the Presidents of the SEC Universities would preclude them after 1992 from ever displaying their talents while wearing a uniform of an SEC school which in turn places said conference at a competitive disadvantage when engaging in non-conference competition; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we do hereby urge and implore the NCAA to adopt a rule mandating that its major college and university members shall deny admission after 1992 to those athletes who cannot satisfy its academic admission standards and we further urge and implore the Presidents of the member universities of the Southeastern Conference to

withhold implementation of their recent decision until such time as the NCAA requires all of its major college and university members to use the same academic admission standards for athletes.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to the President of the NCAA, the national headquarters office of the NCAA, the Presidents of all SEC Universities, the Governor, the Lieutenant Governor and each member of the Legislature.

Which was read and referred to the Standing Committee on Rules.

Senator Dial offered the following Senate Resolution, to-wit:

S. R. 33. MOURNING THE DEATH OF ROY GREENE COLE OF HEFLIN, ALABAMA.

Which was filed.

Senator Smith (J) offered the following Senate Resolutions, to-wit:

S. R. 34. COMMENDING BILL V. HEWETT FOR DISTINGUISHED SERVICE TO THE MEDICAL PROFESSION.

Also:

S. R. 35. COMMENDING CHARLES D. PAGE, JR., OF THE TANNER COMMUNITY, LIMESTONE COUNTY, ALABAMA.

Also:

S. R. 36. COMMENDING ROBERT E. LOWDER OF MONTGOMERY, ALABAMA, FOR OUTSTANDING ACHIEVEMENT AND SERVICE TO AUBURN UNIVERSITY AND THE COMMUNITY.

Which were filed.

BILLS ON THIRD READING RESUMED

THE BILL:

S. 36. Relating to Talladega County, requiring the inspection of all asphalt plants eligible to bid on the sale of asphalt plant mix to the county or any municipality within the county by the highway department.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Foshee	Langford
Amari	Cabaniss	Goodwin	Manley
Bailey	Campbell	Hale	Menton
Barron	Denton	Hand	Mitchem
Bedford	Dial	Hilliard	Preuitt
Bedsale	Dixon	Horn	Sanders
Bennett	Ellis		

—25

Nays:

—0

THE BILL:

S. 38. Relating to Talladega County; to provide for the mailing address of the grantees to appear on all conveyances of real property recorded in the probate office of such county.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Foshee	Langford	
Amari	Cabaniss	Goodwin	Manley	
Bailey	Campbell	Hale	Menton	
Barron	Denton	Hand	Mitchem	
Bedford	Dial	Hilliard	Preuitt	
Bedsole	Dixon	Horn	Sanders	
Bennett	Ellis			—25

Nays: —0

THE BILL:

H. 1. To propose a self-executing amendment to the Constitution of Alabama of 1901, relative to the compensation of the judge of probate of Autauga County.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following amendment to the Bill, H. B. 1, to-wit:

AMENDMENT TO H. B. 1

Amend H. B. 1 as follows:

On page 1, line 33 after the word "compensation" add the following:
and allowance

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Ellis	Manley	
Amari	Cabaniss	Goodwin	Menton	
Bailey	Campbell	Hand	Mitchem	
Barron	Corbett	Hilliard	Parsons	
Bedford	Denton	Horn	Preuitt	
Bedsole	Dial	Langford	Rice	
Bennett	Dixon			—25

Nays: —0

And said Bill, H. B. 1, as thus amended, was read a third time at length as required by the Constitution and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Ellis	Manley
Amari	Cabaniss	Goodwin	Menton
Bailey	Campbell	Hand	Mitchem
Barron	Corbett	Hilliard	Parsons
Bedford	Denton	Horn	Preuitt
Bedsole	Dial	Langford	Rice
Bennett	Dixon		

—25

Nays:

—0

THE BILL:

H. 19. Relating to Barbour County, providing for an increase in certain court costs and providing for the disposition of the proceeds from the increase. was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Ellis	Langford
Amari	Cabaniss	Foshee	Manley
Bailey	Corbett	Goodwin	Menton
Barron	Denton	Hale	Parsons
Bedford	Dial	Hand	Rice
Bedsole	Dixon	Horn	Sanders
Bennett	Drinkard		

—25

Nays:

—0

RESOLUTION

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

S. R. 37. SPECIAL ORDER CALENDAR.

RESOLVED BY THE SENATE That the following bills in the order named shall be the paramount and continuing order of business taking precedence over all other matters upon reaching bills on third reading for the sixth legislative day of the 1988 First Special Session only:

Inst Id	Page
H. 163	23
Employment Security Admin. Enhancement Act, to further administer assessment on wages for unemployment comp. trust fund, Secs. 25-4-31, 25-4-54, 25-4-143 am'd.	
S. 132	17
Hazardous Substance Cleanup Fund Estab., regulation of hazardous waste standards by dept. of environmental management, penalties.	
H. 29	16
Commission on Higher Education, EPSCOS program, approp.	

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H. 32 League For Advancement of Education, Approp.	16
S. 48 Worthless checks, service charge incr. to \$15.00, Secs. 12-17-224, 13A-9-13.1, 13A-9-13.2, Act 87-565, Reg. Sess. 1987 am'd.	2
S. 52 Executors and administrators, accounts legal evidence, Sec. 43-2-502 am'd.	5
S. 107 Dentists, auth. to engage in cert. type advertising, advertising fees reg., Secs. 34-9-19, 34-9-60, 34-9-61, 34-9-63 and 34-9-64 am'd.	10
S. 165 Fire protection sprinkler system business, further regulated, Secs. 34-33-1 through 34-33-6, 34-33-10 am'd.	15
S. 100 Supernumerary county officers, compensation, surviving spouse benefit, Secs. 40-6-1, 40-6-3 and 40-6-4 am'd.	32
S. 191 Emergency telephone service communication dist., personnel employed in such dists. reg., corp. powers, auth. rec. cert. prop. and make cert. expenditures, Secs. 11-98-2, 11-98-4, and 11-98-5 am'd.	18
S. 68 Oil and gas, interest on industrial revenues, semiannual balancing periods, provided, Secs. 9-17-1, 9-17-33 am'd.	12
S. 51 Education, county boards of, meetings altered, Secs. 16-8-3, 16-8-4 am'd.	5
S. 171 Child abuse and Neglect Prevention Bd., mandated meeting dates deleted, Sec. 26-16-5 am'd.	11
S. 62 Corrections revolving fund, amt. incr., Sec. 14-1-14 am'd.	40
S. 76 Real Estate Commission, Approp.	41
S. 72 Mallard Fox Creek Port and Industrial Park, approp.	30

H. 10	40
Adoption, Human Resources Dept. req. to assess a ct. cost fee cert. cases, deposited to st. public welfare trust fund.	
H. 11	39
Human Resources Dept., auth. to charge fee for investigation services performed in divorce cases.	
H. 23	39
Drivers' licenses, fees for duplicates for cost, incr., Sec. 32-6-15 am'd.	
H. 26	38
Records of Public Safety Dept., fees for copying incr., Sec. 32-2-8 am'd.	
H. 52	38
Hunting and fishing lic., resident, incr., Secs. 9-11-44, 9-11-53, am'd.	
H. 111	37
Learners' permits, four-year permit provided, fees for incr., Sec. 32-6-8 am'd.	
H. 120	37
Securities dealers and salesmen, license fees incr., Sec. 8-6-3 am'd.	
H. 138	37
Alcoholic beverages, ABC bd. to audit and collect cert. taxes on sales.	
H. 142	36
Driving record abstracts, fees for, incr., Sec. 32-7-4 am'd.	
H. 147	35
Unclaimed property, disposition by state, sale and redemption of stocks and bonds, regulated, Sec. 35-12-38 am'd.	
H. 159	34
Motor vehicle, licensing, special license tags and fees paid annually, Secs. 32-6-61, 32-6-150, am'd.	
H. 203	34
Cigarette paper, tax levied, distrib. by forestry commission for fire protection and volunteer fire depts.	
H. 205	33
Motor vehicles, certificate of title, transfer fees, rebuilt vehicles, inspection of, fees incr., Secs. 32-8-6, 32-8-7, 32-8-87 am'd.	

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H. 209 35

Drivers' licenses, cancelled, fee for reinstatement incr., Sec. 32-6-17 am'd.

H. 233 30

Drugs and controlled substances, tax on illegal transactions, Alabama Law Enforcement Fund and Bd. estab., felony offenses for violations.

H. 234 31

Ad valorem taxes, admin. reg., amnesty prog., mobile home treatment, interest rate on delinquencies, Secs. 40-7-1, 40-7-23, 40-8-1, 40-11-1, 40-12-240, 40-12-255, 40-12-256 am'd.

H. 276 33

Criminal history searches, by Public Safety, fees imposed.

On motion of Senator Drinkard, the Resolution was adopted by the Senate.

BILLS ON THIRD READING RESUMED

THE BILL:

H. 20. Relating to Barbour County, providing an expense allowance for the circuit judge, district attorney, district judge and circuit clerk, and to provide for the funding of said allowance.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Ellis	Langford
Amari	Cabaniss	Foshee	Manley
Bailey	Corbett	Goodwin	Menton
Barron	Denton	Hale	Parsons
Bedford	Dial	Hand	Rice
Bedsole	Dixon	Horn	Sanders
Bennett	Drinkard		

—25

Nays: —0

THE BILL:

H. 87. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Decatur, in Morgan County.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Hale	Parsons	
Amari	Campbell	Hilliard	Preuitt	
Bailey	Denton	Horn	Rice	
Barron	Dial	Langford	Sanders	
Bedford	Dixon	Manley	Smith (B)	
Bedsole	Ellis	Menton	Smith (J)	
Bennett	Foshee			—25

Nays: —0

THE BILL:

H. 89. Relating to Crenshaw County; providing for the establishment of a consolidated and unified system of assessment and collection of taxes under the supervision of an elective county official designated as county revenue commissioner; prescribing the powers, duties, term of office and compensation of said county revenue commissioner, and providing for his election; abolishing the county offices of tax assessor and tax collector in Crenshaw County; repealing conflicting laws; and prescribing the effective date of this act.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Ellis	Langford	
Amari	Cabaniss	Foshee	Manley	
Bailey	Campbell	Goodwin	Menton	
Barron	Covington	Hale	Parsons	
Bedford	Denton	Hand	Preuitt	
Bedsole	Dial	Horn	Rice	
Bennett	Dixon			—25

Nays: —0

THE BILL:

H. 91. Relating to the City of Tuscaloosa, Tuscaloosa County, fire-fighters, so as to establish longevity pay in addition to compensation and the manner of such payments.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Campbell	Foshee	Manley	
Amari	Corbett	Goodwin	Menton	
Bailey	deGraffenried	Hale	Parsons	
Barron	Dial	Hand	Rice	
Bedford	Dixon	Horn	Sanders	
Bedsole	Drinkard	Langford	Smith (J)	
Bishop	Ellis			—25

Nays: —0

THE BILL:

H. 92. Relating to Crenshaw County; to provide for the election of the county superintendent and for the filling of unexpired terms of office resulting from vacancies; subject to the approval of a majority of the qualified electors of Crenshaw County voting thereon at a referendum election.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Ellis	Langford
Amari	Cabaniss	Foshee	Manley
Bailey	Campbell	Goodwin	Menton
Barron	Covington	Hale	Parsons
Bedford	Denton	Hand	Preuitt
Bedsole	Dial	Horn	Rice
Bennett	Dixon		

—25

Nays: —0

THE BILL:

H. 93. Relating to Tuscaloosa County and the Firemen's and Policemen's Pension and Relief Fund for the City of Tuscaloosa, further amending Act No. 328, H. 854, 1959 Regular Session, providing for an increase in the amount to be deducted from the salary of each fireman and policeman, increasing the amount to be paid into the fund out of the treasury of city by the governing body of the city and to change the requirements relating to the signing of warrants or checks for payment of amounts from the fund.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Campbell	Foshee	Manley
Amari	Corbett	Goodwin	Menton
Bailey	deGraffenried	Hale	Parsons
Barron	Dial	Hand	Rice
Bedford	Dixon	Horn	Sanders
Bedsole	Drinkard	Langford	Smith (J)
Bishop	Ellis		

—25

Nays: —0

THE BILL:

H. 102. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Sylacauga, in Talladega County.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Foshee	Langford	
Amari	Cabaniss	Goodwin	Manley	
Bailey	Campbell	Hale	Menton	
Barron	Denton	Hand	Mitchem	
Bedford	Dial	Hilliard	Preuitt	
Bedsole	Dixon	Horn	Sanders	
Bennett	Ellis			—25

Nays: —0

THE BILL:

H. 122. To propose a self-executing amendment to the Constitution of Alabama of 1901 relative to the compensation of the judge of probate of Crenshaw County.

was read a third time at length as required by the Constitution and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Ellis	Langford	
Amari	Cabaniss	Foshee	Manley	
Bailey	Campbell	Goodwin	Menton	
Barron	Covington	Hale	Parsons	
Bedford	Denton	Hand	Preuitt	
Bedsole	Dial	Horn	Rice	
Bennett	Dixon			—25

Nays: —0

THE BILL:

H. 123. To authorize the county commission of Russell County, acting pursuant to Amendment No. 373 to the Constitution of Alabama of 1901, to increase the rate at which there is levied and collected by Russell County, on all taxable property situated within said county, an ad valorem tax for public buildings, bridges or roads by an amount which shall not exceed, for any tax year of said county, \$.65 on each one hundred dollars (6-1/2 mills on each dollar) of assessed value and to provide for a referendum.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Foshee	Langford	
Amari	Cabaniss	Goodwin	Manley	
Bailey	Corbett	Hale	Menton	
Barron	Denton	Hand	Parsons	
Bedford	Dial	Hilliard	Rice	
Bedsole	Dixon	Horn	Sanders	
Bennett	Ellis			—25

Nays: —0

THE BILL:

H. 127. Relating to Coffee County, to provide for the salary of the Probate Judge, the Revenue Commissioner and the Sheriff.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Campbell	Hale	Menton	
Barron	Denton	Hand	Preuitt	
Bedford	Dial	Hilliard	Rice	
Bedsole	Dixon	Horn	Sanders	
Bennett	Drinkard	Langford	Smith (B)	
Bishop	Ellis	Manley	Smith (J)	
Cabaniss	Foshee			—25

Nays: —0

THE BILL:

H. 129. Relating to Coffee County, to designate the bridge over White Water Creek on Highway 167 the Clowers Bridge and to provide for the preparation and erection of signs.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Campbell	Hale	Menton	
Barron	Denton	Hand	Preuitt	
Bedford	Dial	Hilliard	Rice	
Bedsole	Dixon	Horn	Sanders	
Bennett	Drinkard	Langford	Smith (B)	
Bishop	Ellis	Manley	Smith (J)	
Cabaniss	Foshee			—25

Nays: —0

THE BILL:

H. 168. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Hartselle, in Morgan County.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Hale	Parsons	
Amari	Campbell	Hilliard	Preuitt	
Bailey	Denton	Horn	Rice	
Barron	Dial	Langford	Sanders	
Bedford	Dixon	Manley	Smith (B)	
Bedsole	Ellis	Menton	Smith (J)	
Bennett	Foshee			—25

Nays: —0

THE BILL:

H. 169. Relating to Morgan County; authorizing and empowering the Morgan County commission and the governing bodies of the incorporated municipalities in such county to regulate and control through the issuance of permits the location of rock quarry blasting operations within the county.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Hale	Parsons	
Amari	Campbell	Hilliard	Preuitt	
Bailey	Denton	Horn	Rice	
Barron	Dial	Langford	Sanders	
Bedford	Dixon	Manley	Smith (B)	
Bedsole	Ellis	Menton	Smith (J)	
Bennett	Foshee			—25

Nays: —0

THE BILL:

H. 181. Relating to Coosa County, providing for an advisory referendum regarding Coosa County Commission members' compensation and the Coosa County Commission chairman's right to vote.

was taken up.

Senator Preuitt offered the following amendment to the Bill, H. B. 181, to-wit.

AMENDMENT TO H. B. 181

Amend H. 181 as follows:

On page 2, between lines 6 and 7, insert the following language:

4. Shall the Coosa County Commission be authorized and empowered to elect its chairperson from among its members for a term of two years with such chairperson having an option to succeed himself or herself as such chairperson if so elected by the county commission? Yes () No ()

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Foshee	Langford	
Amari	Cabaniss	Goodwin	Manley	
Bailey	Campbell	Hale	Menton	
Barron	Denton	Hand	Mitchem	
Bedford	Dial	Hilliard	Preuitt	
Bedsole	Dixon	Horn	Sanders	
Bennett	Ellis			—25

Nays: —0

And said Bill, H. B. 181, as thus amended, was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Foshee	Langford	
Amari	Cabaniss	Goodwin	Manley	
Bailey	Campbell	Hale	Menton	
Barron	Denton	Hand	Mitchem	
Bedford	Dial	Hilliard	Preuitt	
Bedsole	Dixon	Horn	Sanders	
Bennett	Ellis			—25

Nays: —0

THE BILL:

H. 182. Relating to Baldwin County; to alter, rearrange and extend the boundary lines and corporate limits of the municipality of Fairhope in Baldwin County.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Figures	Manley	
Amari	Cabaniss	Foshee	Menton	
Bailey	Corbett	Goodwin	Parsons	
Barron	Denton	Hand	Rice	
Bedford	Dial	Horn	Sanders	
Bedsole	Dixon	Langford	Smith (B)	
Bennett	Ellis			—25

Nays: —0

THE BILL:

H. 189. Relating to Talladega County, requiring the inspection of all asphalt plants eligible to bid on the sale of asphalt plant mix to the county or any municipality within the county by the highway department.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Foshee	Langford	
Amari	Cabaniss	Goodwin	Manley	
Bailey	Campbell	Hale	Menton	
Barron	Denton	Hand	Mitchem	
Bedford	Dial	Hilliard	Preuitt	
Bedsole	Dixon	Horn	Sanders	
Bennett	Ellis			—25

Nays: —0

THE BILL:

H. 193. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Hartselle, in Morgan County.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Hale	Parsons	
Amari	Campbell	Hilliard	Preuitt	
Bailey	Denton	Horn	Rice	
Barron	Dial	Langford	Sanders	
Bedford	Dixon	Manley	Smith (B)	
Bedsole	Ellis	Menton	Smith (J)	
Bennett	Foshee			—25

Nays:

—0

THE BILL:

H. 225. To propose an amendment to the Constitution of Alabama of 1901, relating to fire protection districts in Washington County, so as to provide for the levy and collection of certain additional property tax for fire protection in said county.

was read a third time at length as required by the Constitution and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Campbell	Drinkard	Horn	
Amari	Corbett	Ellis	Manley	
Bailey	Covington	Figures	Parsons	
Bedsole	deGraffenried	Hale	Preuitt	
Bennett	Denton	Hand	Rice	
Bishop	Dial	Hilliard	Sanders	
Cabaniss	Dixon			—25

Nays:

—0

THE BILL:

H. 235. Relating to Lawrence County, providing for an advisory referendum election relating to the manner of electing the members of the county commission.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Goodwin	Manley	
Amari	Campbell	Hale	Menton	
Bailey	Denton	Hand	Parsons	
Barron	Dial	Hilliard	Preuitt	
Bedford	Dixon	Horn	Rice	
Bedsole	Ellis	Langford	Sanders	
Bennett	Foshee			—25

Nays:

—0

THE BILL:

H. 242. To alter or rearrange the boundary lines of the City of Andalusia, Covington County, Alabama, so as to include within the corporate limits of said city all territory now within such corporate limits and also certain other territory contiguous thereto, in Covington County, Alabama.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cabaniss	Foshee	Menton	
Amari	Corbett	Hale	Preuitt	
Bailey	Denton	Hand	Rice	
Barron	Dial	Horn	Sanders	
Bedsole	Dixon	Langford	Smith (B)	
Bennett	Drinkard	Manley	Smith (J)	
Bishop	Ellis			—25

Nays: —0

THE BILL:

H. 243. Relating to Covington County; providing for the collection of municipal and/or county vehicle use tax on vehicles purchased from out-of-state dealers or Alabama dealers who failed to collect municipal and/or county sales taxes at the time of sale; and providing for the disposition of the proceeds.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cabaniss	Foshee	Menton	
Amari	Corbett	Hale	Preuitt	
Bailey	Denton	Hand	Rice	
Barron	Dial	Horn	Sanders	
Bedsole	Dixon	Langford	Smith (B)	
Bennett	Drinkard	Manley	Smith (J)	
Bishop	Ellis			—25

Nays: —0

THE BILL:

H. 269. Relating to Talladega County; to provide for the mailing address of the grantees to appear on all conveyances of real property recorded in the probate office of such county.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Foshee	Langford	
Amari	Cabaniss	Goodwin	Manley	
Bailey	Campbell	Hale	Menton	
Barron	Denton	Hand	Mitchem	
Bedford	Dial	Hilliard	Preuitt	
Bedsole	Dixon	Horn	Sanders	
Bennett	Ellis			—25

Nays: —0**THE BILL:**

H. 281. Relating to Dale County; providing for the establishment of a consolidated and unified system of assessment and collection of taxes under the supervision of an elective county official designated as county revenue commissioner; prescribing the powers, duties, term of office and compensation of said county revenue commissioner, and providing for his election; abolishing the county offices of tax assessor and tax collector in Dale County; repealing conflicting laws; and prescribing the effective date of this act.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Ellis	Manley	
Amari	Cabaniss	Foshee	Menton	
Bailey	Campbell	Goodwin	Parsons	
Barron	Covington	Hale	Preuitt	
Bedford	Denton	Hand	Rice	
Bedsole	Dial	Horn	Sanders	
Bennett	Dixon			—25

Nays: —0**MESSAGE FROM THE HOUSE**

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 28. To make annual appropriations for the support, maintenance and development of public education in Alabama and for debt service and capital improvements for the fiscal year ending September 30, 1989.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 65. To provide a seven and one-half percent (7.5%) pay increase for certain public education employees with the beginning of the 1988-89 fiscal year; to provide a continuing pay increase provision for those teachers who have gained or may gain "continuing service status" or attain five years teaching experience in public schools and institutions; to define "continuing service status" for pay purposes only; to provide a seven and one-half percent (7.5%) increase for full-time personnel on all Salary Schedules in all public two-year colleges; to grant two-year college personnel credit for prior work experience; to prescribe a manner for payment; to establish miscellaneous pay provisions; and to provide an effective date.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

SPECIAL ORDER

BILLS ON THIRD READING RESUMED

The Senate proceeded to considerations of the special, paramount, and continuing order of business for today, the first of which was the Bill:

H. 163. Relating to employment security programs of the Department of Industrial Relations so as to provide for an assessment of 0.06% against wages paid by certain employers for a three-year period beginning January 1, 1989 and ending December 31, 1991; to provide for the collection, appropriation and disbursement of such assessment, and to provide for the establishment of the "Employment Security Administration Enhancement Fund" in the state treasury; to amend Sections 25-4-31, 25-4-54 and 25-4-143, Code of Alabama 1975, as amended, all relating to the Unemployment Compensation Trust Fund, so as to provide for a reduction of 0.06% in the rates of unemployment compensation contributions of certain employers effective for calendar years beginning on January 1, 1989 and ending on December 31, 1991, to provide for the appropriation of this and other revenue and for the transfer from the clearing account certain moneys into certain separate special funds in the state treasury.

And said Bill, H. B. 163, was read a third time at length and passed.

Yeas 22; Nays 1.

Yeas:

Senators:	Campbell	Foshee	Menton
Amari	deGraffenried	Goodwin	Mitchem
Bedford	Denton	Hale	Parsons
Bedsole	Dial	Hand	Preuitt
Bennett	Drinkard	Horn	Smith (B)
Cabaniss	Ellis	Manley	

—22

Nay: Senator Corbett

—1

Senator deGraffenried moved that the Senate reconsider the vote by which the Bill, H. B. 163, was passed, and further moved that his motion to reconsider be postponed subject to the call of the Chair, which motion was adopted.

THE BILL:

S. 132. To make appropriations from the general fund of the state treasury for the creation of the "Alabama Hazardous Substance Cleanup Fund"; to provide that such fund shall be used for the cleanup and restoration of abandoned or inactive sites at which improper disposal of hazardous substances has occurred; to plan and undertake the rehabilitation, removal and cleanup of hazardous substances deposited improperly at sites located within Alabama; to provide that this fund shall be used for sites not qualified for or unlikely to receive funding for cleanup from funds designated for cleanups under the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. §§9601 et seq.; to provide state matching funds for cleanups under the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended; to provide that the fund shall be administered by the Alabama Department of Environmental Management; to provide that the sites within the state shall be ranked according to their relative threats and the fund applied to the sites in the order of that ranking; to direct the Alabama Department of Environmental Management to secure other funds whenever possible; to provide for future appropriations to the fund; to provide for civil penalties against violators; to limit the maximum penalty; and to provide that said appropriations shall be supplemental to any and all other funds.

was taken up.

Senators Bennett, Dial, and Bedford offered the following substitute for the Bill, S. B. 132, to-wit:

SUBSTITUTE FOR S. B. 132

A BILL TO BE ENTITLED AN ACT

To establish the "Alabama Hazardous Substance Cleanup Fund"; to provide that such fund shall be used for the cleanup and restoration of abandoned or inactive sites at which improper treatment, storage or disposal of hazardous substances has occurred; to plan and undertake the rehabilitation, removal and cleanup of hazardous substances deposited improperly at sites located within Alabama; to provide that this fund shall be used for sites not qualified for or unlikely to receive funding for cleanup from funds designated for cleanups under the federal Comprehensive Environmental Response, Compensation and Liability Act of 1980 (42 U.S.C. § 9601 et seq.) and to provide state matching funds for cleanups under the federal Comprehensive Environmental Response, Compensation and Liability Act of 1980; to provide for penalties and recovery of cleanup costs; to provide that the fund shall be administered by the Alabama Department of Environmental Management; and to direct the Alabama Department of Environmental Management to secure other funds whenever possible.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

SECTION 1. The Legislature finds that hazardous substances have been treated, stored or disposed of at sites which are inactive or abandoned and

that such sites have the potential for deleterious impacts on groundwater, human health or the environment. The Legislature, therefore, declares that it is in the public interest to assure that such sites are identified and that action is taken to provide for the cleanup and rehabilitation of such sites within the state of Alabama. The Legislature intends that funds provided under this Act be used primarily to clean up and rehabilitate sites not qualified for or unlikely to receive funding under the federal Comprehensive Environmental Response, Compensation and Liability Act of 1980 (42 U.S.C. §9601 et seq.) but that the funds provided under this Act may also be used to provide state matching funds for cleanups and for operation and maintenance of sites which have completed cleanup under the federal Comprehensive Environmental Response, Compensation and Liability Act of 1980.

SECTION 2. When used in this Act and except where the context prohibits, the following words and terms shall have the following meanings:

(1) **CLEANUP.** All activities including administrative activities related to the identification, investigation and evaluation of hazardous substance sites and the removal of hazardous substances or other closure or containment of hazardous substances and any subsequent monitoring of such sites.

(2) **COMMISSION.** The Alabama Environmental Management Commission as created by Section 22-22A-6, Code of Alabama 1975.

(3) **DEPARTMENT.** The Alabama Department of Environmental Management as created by Section 22-22A-4, Code of Alabama 1975.

(4) **DIRECTOR.** The director of the Alabama Department of Environmental Management.

(5) **FUND.** The Alabama Hazardous Substance Cleanup Fund.

(6) **HAZARDOUS SUBSTANCE.** Any substance defined as a hazardous substance pursuant to 42 U.S.C. § 9601(14) or listed as a hazardous waste pursuant to the Hazardous Wastes Management Act, Code of Alabama 1975 Sections 22-30-1 et seq. and the regulations promulgated thereunder.

(7) **HAZARDOUS SUBSTANCE SITE.** Any unpermitted site or location where a hazardous substance has been released or where there is the potential for a release due to the treatment, storage or disposal of a hazardous substance.

(8) **INACTIVE OR ABANDONED HAZARDOUS SUBSTANCE SITE.** Any hazardous substance site which does not receive any hazardous substance for treatment, storage or disposal after the effective date of this Act, or which ceases receiving any hazardous substance for treatment, storage or disposal after the effective date of this Act.

(9) **LIABLE PARTY.** Any person who:

a. Is an operator or former operator of an inactive or abandoned hazardous substance site;

b. Generated a waste treated, stored or disposed of at a hazardous substance site which has become inactive or abandoned;

c. Transported waste for treatment, storage or disposal to a hazardous substance site which has become inactive or abandoned, but only if the site was selected by the transporter; or

d. Directed the hazardous substance for treatment, storage or disposal to the inactive or abandoned hazardous substance site.

(10) OPERATOR. A person who has treated, stored or disposed of or permitted a third person to treat, store or dispose of a hazardous substance at a site which has become an inactive or abandoned hazardous substance site, or a person who obtained ownership of a site either knowing or with reason to know it was an abandoned or inactive hazardous substance site. Such term does not include a person, who, without participating in the management of a site which has become an inactive or abandoned hazardous substance site, holds indicia of ownership primarily to protect a security interest in the site.

(11) RELEASE. Any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment of a hazardous substance.

(12) All other terms used in this Act shall be defined as such terms are defined in the Hazardous Wastes Management Act, Code of Alabama 1975, Section 22-30-1 et seq. as amended, and the regulations promulgated thereunder.

SECTION 3. (a) There is hereby established within the state treasury a special revenue fund to be known as the Alabama Hazardous Substance Cleanup fund. All federal grants, state appropriations, penalties, reimbursements and any other funds collected pursuant to this Act are hereby appropriated for the purposes provided for in this Act and shall be deposited into said fund. Any funds remaining in the Alabama Hazardous Substance Cleanup Fund at the end of any fiscal year shall not revert to the general fund but shall remain in said Fund and is hereby reappropriated until expended in accordance with the provisions of this Act.

(b) There is hereby appropriated from the State General Fund for the fiscal year ending September 30, 1989, the amount of \$100,000.00 for the start-up and administrative costs necessary to implement this Act and for inactive or abandoned hazardous substance site cleanup costs.

(c) In addition to the appropriations heretofore made, there is hereby conditionally appropriated from the State General Fund for the fiscal year ending September 30, 1989, the sum of \$500,000 to be used solely for the purpose of cleanup operations of abandoned or inactive hazardous substance sites, reimbursement to the fund for monies expended by the department for cleanup of such sites, and as matching funds to allow cleanups and operation and maintenance of sites which have completed cleanup under the federal Comprehensive Environmental Response, Compensation and Liability Act of 1980 (42 U.S.C. §9601 et seq.), such funds to be released to the fund on a project-by-project basis, conditioned upon the availability of funds in the State General Fund, the recommendations of the Finance Director, and the approval by the Governor.

SECTION 4. (a) In relation or addition to the powers set forth in this section and any other provisions of laws of this state, the department is empowered, with regard to the regulation, control, or removal of hazardous substances as follows:

(1) To respond to, direct, or initiate cleanup of inactive or abandoned hazardous substance sites;

(2) To conduct or contract for professional technical data gathering and analysis and damage assessment;

(3) To conduct or contract for the removal or containment of hazardous substances where there has been or is a potential for release, regardless of quantity or concentration; and

(4) Acting through the provisions of Code of Alabama 1975, Sections 22-22A-5, and 22-22A-8 issue such rules and regulations as are necessary to carry out the provisions of this Act.

(b) The fund shall be available to the department for expenditures for the purpose of providing for the identification, investigation, and for the containment and cleanup, including monitoring and maintenance of inactive or abandoned hazardous substance sites within the state as provided in this Act, and as follows:

(1) monies from the fund may be used only for cleanup of inactive or abandoned hazardous substance sites which at the time cleanup activities commence do not appear on the most current national priorities list (NPL) of the United States Environmental Protection Agency as developed under the Comprehensive Environmental Response, Compensation and Liability Act of 1980 ('CERCLA') 42 U.S.C. §§ 9601 et seq. unless,

(2) the monies are intended to provide the State's share of matching funds for cleanup of a CERCLA site on the NPL.

(c) The department may enter into such contracts and use the fund for those purposes directly associated with identification, investigation, containment and cleanup, including monitoring and maintenance, prescribed above including:

- (1) hiring of consultants and personnel;
- (2) purchasing, leasing or renting of necessary equipment; and/or
- (3) paying other necessary expenses.

(d) The fund shall not be used for hiring personnel for continuing programs of the department not directly related to the purpose of this Act or for on-going research activities not directly related to the purpose of this Act.

SECTION 5. (a) Whenever the director identifies an inactive or abandoned hazardous substance site, he shall attempt to identify all potentially liable parties. If potentially liable parties can be identified within a reasonable time, the director may:

(1) Order the potentially liable party or parties to develop a Hazardous Substance Cleanup Plan detailing how the potentially liable party or parties will investigate, identify, contain and cleanup the site, including post-cleanup monitoring and maintenance of the site;

(2) Order the potentially liable party or parties to implement the plan, subject to approval by the department, within a reasonable time as specified in the order; and

(3) Provide a 30-day public comment period on the plan in the county where the site is located, provided that such public comment period may be waived if the director finds that such delay would significantly increase the threat to human health or the environment. Notice of the public comment period shall be given by a one-time publication in a newspaper of general circulation in the county where the site is located.

(b) No order may be issued under this section until a potentially liable party is provided notice and an opportunity for an informal hearing before the department. Provided, however, that whenever the director, after investigation, finds that the threat to human health or the environment is imminent, the director may issue the order without a hearing. In the event the director makes such a determination, the facts supporting this conclusion shall be set forth in the Order in detail.

(c) Whenever any liable party fails to comply with an order to develop a Hazardous Substance Cleanup Plan for a site, the department may develop such a plan. The reasonable expenses of developing the plan by the department shall be paid from the fund if available and reimbursed by the liable party. This reimbursement of expenses is in addition to any penalties assessed under Section 12 of this Act.

(d) Whenever the liable party fails to comply with an order to implement a Hazardous Substance Cleanup Plan for a site, the department may implement such a plan. The provisions of Section 5(a)(3) of this Act regarding public comment shall apply to the department's plan. The reasonable expenses of implementing the plan by the department shall be paid from the fund if available and reimbursed by the liable party. This reimbursement of expenses is in addition to any penalties assessed for failure to comply with the order.

(e) In the event that no liable party can be identified, or if the liable party cannot be identified within a reasonable time, or if the director determines there is an imminent threat to human health or the environment, and sufficient monies are available in the fund, the department may develop and implement a Hazardous Substance Cleanup Plan. The provisions of Section 5(a)(3) of this Act regarding public comment shall apply to the department's plan. The reasonable expenses of developing and implementing such plan shall be paid from the fund if available and reimbursed by the liable party when and if identified. This reimbursement of expenses is in addition to any penalties assessed under this Act.

(f) Orders issued under this section may be appealed as provided in Section 22-22A-7(c), Code of Alabama 1975, but the appeal of any order containing a determination of imminent threat to human health or the environment shall not serve as grounds for a stay of such order.

(g) The department is authorized to recover expenses as set out in this section by administrative order or by civil action in the circuit court of the county where the site is located or where the liable party resides or does business.

(h) No administrative or civil penalties shall be assessed against a liable party until and unless the liable party fails to comply with provisions of an order issued by the department pursuant to this Act. In the event, the department may seek, in addition to the recovery of expenses, administrative or civil penalties as provided for in Section 22-22A-5 Code of Alabama 1975, however, nothing herein shall prevent the imposition of administrative or civil penalties for the violation of any other relevant statute or regulation.

SECTION 6. (a) In determining the scope, nature and content of a Hazardous Substance Cleanup Plan the director shall evaluate reasonable alternatives and select or approve those actions which he determines are necessary to protect human health and the environment. The goal of any pertinent action shall be cleanup and containment of the site through the elimination of the threat to the human health and the environment posed

by the hazardous substance. In choosing the necessary action at each site, the director shall consider the following factors:

- (1) The technological feasibility of each alternative;
- (2) The cost estimate of each alternative;
- (3) The quantity of hazardous substances present their toxicity and mobility and the risk of harm to the environment. This factor shall not require the director to make a detailed analytical and scientific study of the site prior to choosing or approving the selected alternative, however, the director shall make a good faith effort to generally determine this information to aid his choice of alternative actions.
- (4) The capability of the selected alternative to protect human health and the environment.

SECTION 7. (a) The director shall, on or before January 1, 1989, and annually thereafter on January first of each succeeding year, transmit an updated Annual Report to the commission, the legislature, and the governor. Each Annual Report shall include, but need not be limited to, the following information for each site:

- (1) A general description of the site, including the name and address of the site, the type and quantity of the hazardous substance disposed of at the site if known, and the name of the current owners of the site and any known potentially liable parties;
- (2) A summary of any significant environmental problems at and near the site; the site's proximity to public or private drinking water supplies, or other water supplies;
- (3) The clear identification of the site on a map;
- (4) The status of any testing, monitoring or remedial actions in progress or recommended by the director;
- (5) The status of any pending legal and administrative actions and any federal, state or local government permits concerning the site;
- (6) The proximity of the site to private residences, public buildings or property, school facilities, places of work or other areas where individuals may be regularly present;
- (7) All costs incurred pursuant to the implementation of this Act by the department or any other party; and
- (8) Estimated future costs to be incurred pursuant to the implementation of this Act by the department or any other party.

(b) The director shall also transmit a copy of the annual report to each potentially liable party identified in the annual report.

SECTION 8. (a) Liable parties shall be liable to the state for amounts expended for the investigation, identification, containment and cleanup of hazardous substance sites, including the cost of post-cleanup monitoring and maintenance of such sites.

(b) The department shall act to recover for the fund the reasonable and necessary amounts expended for the investigation, identification, containment, cleanup, monitoring and maintenance of inactive or abandoned hazardous substance sites to the extent the department can attribute these

expenditures to liable parties as set out herein. Recovery of these expenditures by the department can attribute these expenditures to liable parties as set out herein. Recovery of these expenditures by the department can be either by administrative order or by commencing a civil action in the county where the site is located or where the liable party resides or does business.

(c) The liability of liable parties is not joint and several. Liable parties shall be liable to reimburse the fund only for the costs of investigation, identification, containment and cleanup of hazardous substance sites, including the cost of monitoring and maintenance generally attributable to that party's proportional contribution to the hazardous substances present at the site. In determining proportional contributions among liable parties the following factors shall be taken into consideration:

- (1) total volume of waste at the site;
- (2) the percentage of the total volume of waste attributable to the liable party;
- (3) good faith efforts of the liable party to ensure proper treatment, storage or disposal;
- (4) any expenditures required by this Act made by a liable party shall be credited toward its liability.

(d) In no event shall the total liability from any liable party be an amount less than the total cost for the investigation, identification, containment and cleanup of hazardous substances attributable to that liable party except that the total recovery from the liable party shall not exceed the amount expended from the fund plus reasonable costs to the department to obtain recovery from the liable party.

(e) In no event shall the calculation of a liable party's proportional contribution be increased or in any way influenced by the failure of the director to identify other liable parties or by the failure of other liable parties to pay their proportional contribution.

(f) There shall be no liability under this Act for a liable party who can establish by a preponderance of the evidence that the release or imminent threat of release and the environmental damages resulting therefrom were caused by an act or omission of a third party other than an employee or agent of the liable party.

(g) If the department is unable to calculate proportional contributions among liable parties because of insufficient evidence the department shall commence a declaratory judgment civil action in circuit court in the county where the site is located or where the liable party resides or does business seeking a declaration of apportionment. The court shall take into consideration the factors previously listed.

(h) Any expenses not attributable to a liable party shall be paid from the fund.

(i) All expenditures recovered from liable parties shall be deposited in the fund.

(j) A liable party may elect to satisfy its liability by applying any proceeds from liability insurance or other financial assurance mechanisms which have been provided by the liable party or parties.

SECTION 9. No action may be commenced against the director, any employee of the department, or any person under contract with the department for damages as a result of actions taken or omitted in the course of performing duties or functions under this act or in the course of rendering care, assistance, or advice at the direction of an on-scene coordinator appointed by the director, with respect to the cleanup of an abandoned or inactive hazardous substance site including any release of a hazardous substance or the threat thereof.

SECTION 10. The director or his designee shall have the right at reasonable times to enter upon any property upon which a known or suspected inactive or abandoned hazardous substance site is located and any other property which must be entered to have access to the site or to perform or cause to be performed all actions necessary to carry out the provisions of this Act. Entry shall be construed as an exercise of the police power and shall not be construed as an act or condemnation of property or of trespass.

SECTION 11. (a) It shall be a violation of the provisions of this Act for any liable party to:

(1) violate any provision of or time period set forth in any administrative order issued by the director;

(2) destroy or conceal any records relating to hazardous substances or abandoned or inactive sites, except where a liable party can demonstrate that any destruction of records was done in the ordinary course of its business;

(3) violate any settlement or consent agreement entered into pursuant to or in anticipation of an administrative order issued by the director, or pursuant to or in anticipation of any civil action initiated under the provisions of this Act.

(b) Civil penalties may be assessed either by administrative order or civil action for violations of this Act.

SECTION 12. The provisions of this Act are severable. If any part of this Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

SECTION 13. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming law.

Senators Bennett and Bedford offered the following amendment to the substitute for the Bill, S. B. 132, to-wit:

AMENDMENT TO SUBSTITUTE FOR S. B. 132

Amend the Substitute for S. B. 132 on page 7, line 13, by deleting the “.” after the word “located” and adding the following:

“and to the governing body of the county or municipality where the hazardous substance site is located.”

Further amend on page 7, line 29, after the word “Section” by deleting “12” and inserting “11”.

Further amend in Section 8, page 10, line 31, after the word “department” by inserting the following:

“or the attorney general”

Further amend in Section 8, page 10, line 35, after the word "department" by inserting the following:

"or the attorney general"

Further amend in Section 8, page 11, line 7, after the word "department" by inserting the following:

"or the attorney general"

Further amend in Section 8, page 11, line 4, by deleting the sentence after the word "herein." and before the word "Recovery" on line 6 in its entirety.

Which was adopted.

And said substitute, as thus amended, was then adopted.

Yeas 26; Nays 0.

Yeas:

Senators:	Campbell	Figures	Manley	
Amari	Corbett	Foshee	Menton	
Bailey	deGraffenried	Goodwin	Mitchem	
Bedford	Denton	Hale	Parsons	
Bedsole	Dial	Hand	Preuitt	
Bennett	Drinkard	Horn	Smith (J)	
Cabaniss	Ellis	Langford		—26

Nays: —0

And said Bill, S. B. 132, as thus amended by the substitute, as amended, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Campbell	Figures	Manley	
Amari	Corbett	Foshee	Menton	
Bailey	deGraffenried	Goodwin	Mitchem	
Bedford	Denton	Hale	Parsons	
Bedsole	Dial	Hand	Preuitt	
Bennett	Drinkard	Langford	Smith (J)	
Cabaniss	Ellis			—25

Nays: —0

RESOLUTION

Senators Figures and Bedford offered the following Senate Joint Resolution, to-wit:

S. J. R. 38. MOURNING THE DEATH OF FRED L. SANDERSON OF MOBILE, ALABAMA.

WHEREAS, in sentiment of great sorrow and regret, the Legislature of Alabama records the lamentable death of Dr. Fred L. Sanderson of Mobile, Alabama, on August 24, 1988, at the age of 65 years; and

WHEREAS, a native of Mineral Springs, Mississippi, and the son of the late Reverend Wesley and Annie Sanderson of that community, Dr. Sanderson, at an early age, confessed Christ as his Savior and, after acknowledging his call to the ministry, was licensed to preach and was officially called to Mount Carmel Missionary Baptist Church in 1970; and

WHEREAS, as an assistant minister and later as pastor, Dr. Sanderson was a great and dedicated leader for Mount Carmel Missionary Baptist Church for 18 years, and was an asset to the total community; and

WHEREAS, Dr. Sanderson, in addition to his pastorate, also served as Trustee of the Sunlight Association and as a Matron Lecturer; he further was manager of the Sunlight District Auditorium, newly elected Second Vice Moderator of the Mobile Sunlight District Association, and was retired from employment with the Mobile Public School System; and

WHEREAS, the Reverend Fred L. Sanderson was indeed a devoted servant of God who, in passing from this life, has now received eternal rest and peace in his "... Closer Walk With God"; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we grievously mourn the death of Dr. Fred L. Sanderson of Mobile, Alabama, and extend deepest sympathy to his devoted wife, Mrs. Dorothy A. Sanderson; daughters, Aerial Donaldson and Sandra Boykin; sons, James Reuben and Wesley Sanderson; and to other family members and friends, whose sorrow we sincerely share and for whom a copy of this resolution shall be provided.

On motion of Senator Figures, the Rules were suspended and the Resolution was adopted by the Senate.

BILLS ON THIRD READING RESUMED

THE BILL:

H. 29. To make a supplemental appropriation of \$1,000,000 from the Alabama Special Educational Trust Fund to the Alabama Commission on Higher Education for the EPSCoR program for the fiscal year ending September 30, 1988.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	deGraffenried	Goodwin	Manley
Amari	Denton	Hale	Menton
Bedford	Dial	Hand	Mitchem
Bedsole	Dixon	Hilliard	Parsons
Cabaniss	Drinkard	Horn	Preuitt
Campbell	Figures	Langford	Smith (J)
Corbett	Foshee		

—25

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Rep. Harvey:

H. J. R. 85. COMMENDING THE ONEONTA HIGH SCHOOL GIRLS' VOLLEYBALL TEAM ON THEIR OUTSTANDING 1988 SEASON.

Also:

By Reps. Zoghby and Marietta:

H. J. R. 86. MOURNING THE DEATH OF ANNA LOUIS MORRISS STAPLES OF MOBILE, ALABAMA.

Also:

By Rep. McDowell:

H. J. R. 87. MOURNING THE DEATH OF JAMES E. MOORE, JR., OF BESSEMER, ALABAMA.

Also:

By Rep. Mathis:

H. J. R. 88. NAMING THE BRIDGE ON STATE HIGHWAY 52, BETWEEN THE CITIES OF SLOCOMB AND HARTFORD, AND CROSSING HURRICANE CREEK, IN MEMORY AND HONOR OF JESSIE THOMPSON FONDREN, JR.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Goodwin, the Rules were suspended and the Resolutions, H. J. R.'s 85, 86, and 87, set out in the foregoing Message from the House, were concurred in and adopted by the Senate.

On motion of Senator Bailey, the Rules were suspended and the Resolution, H. J. R. 88, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

BILLS ON THIRD READING RESUMED

THE BILL:

H. 32. To make an appropriation of \$115,000 from the Alabama Special Educational Trust Fund to the League for the Advancement of Education for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

was read a third time at length and passed.

FIRST EXTRAORDINARY SESSION
6th Day

245

Yeas 18; Nays 0.

Yeas:

Senators:	Cabaniss	Ellis	Horn
Amari	deGraffenried	Foshee	Langford
Bailey	Denton	Hale	Menton
Bedford	Dial	Hand	Mitchem
Bedsole	Dixon	Hilliard	

—18

Nays: —0

THE BILL:

S. 48. Further providing for service charges of worthless checks for restitution and in the criminal procedure from crimes relating to worthless checks or negotiating a worthless negotiable instrument and notice, so as to increase such charges; amending Section 12-17-224, Code of Alabama 1975, as amended by Act No. 87-565, S. 319, Regular Session 1987, relating to restitution process and service charges for worthless checks; amending Section 13A-9-13.1, Code of Alabama 1975, as amended, relating to the crime of negotiating a worthless negotiable instrument and service charges, and Section 13A-9-13.2, Code of Alabama 1975, as amended, relating to notice of such crime and service charges, so as to increase such service charges.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 23; Nays 0.

Yeas:

Senators:	Campbell	Foshee	Manley
Amari	Corbett	Goodwin	Menton
Bedford	Denton	Hale	Mitchem
Bedsole	Dial	Hand	Parsons
Bennett	Ellis	Hilliard	Preuitt
Cabaniss	Figures	Horn	Smith (J)

—23

Nays: —0

THE BILL:

S. 52. To amend Section 43-2-502 of the Code of Alabama 1975, relating to the filing of accounts by executors or administrators, so as to provide that the written evidence in the possession of an executor or administrator on which the executor or administrator relies to sustain the credit side of the account may consist of an affidavit or any other legal evidence, in the discretion of the executor or administrator.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 22; Nays 0.

Yeas:

Senators:	Cabaniss	Foshee	Langford
Amari	Campbell	Goodwin	Manley
Bailey	Denton	Hale	Menton
Bedford	Drinkard	Hand	Mitchem
Bedsole	Ellis	Hilliard	Smith (J)
Bennett	Figures	Horn	

—22

Nays: —0

THE BILL:

S. 107. To further regulate the advertising by dentists, and the fees of dentists for administering anesthesia intravenous sedation; and to further amend Sections 34-9-19, 34-9-60, 34-9-61, 34-9-63 and 34-9-64, Code of Alabama 1975, as amended, relating to fees and advertising, so as to further provide therefor.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Senators:	Cabaniss	Hale	Manley	
Amari	Campbell	Hand	Menton	
Bailey	Corbett	Hilliard	Mitchem	
Bedford	deGraffenried	Horn	Preuitt	
Bedsole	Ellis	Langford	Smith (J)	
Bennett	Foshee			—21

Nays: —0

RESOLUTIONS

Senator Preuitt offered the following Senate Joint Resolution, to-wit:

S. J. R. 39. COMMENDING ASSISTANT POLICE CHIEF LEWIS FINN FOR OUTSTANDING SERVICE TO THE CHILDERSBURG COMMUNITY.

WHEREAS, retiring Assistant Police Chief Lewis Finn has continuously served the City of Childersburg with great distinction for more than 18 years; and

WHEREAS, Lewis Finn, along with Chief Ira Finn, are members of a family that has become an institution of law enforcement, beginning with their uncle, Tim Finn, who previously served as Chief of the Childersburg Police Department for 40 years; and

WHEREAS, outgoing Assistant Chief Finn was recently honored for the dedication of his efforts in safeguarding the lives and property of the citizens of Childersburg, and it is with sincerity that we join his peers, many co-workers and friends in wishing him every continued success in life; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby most highly commend Assistant Police Chief Lewis Finn of Childersburg, Alabama, on his outstanding law enforcement career, and do further direct that he receive a copy of this resolution of sincere praise and esteem.

On motion of Senator Preuitt, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Preuitt then offered the following Senate Joint Resolution, to-wit:

S. J. R. 40. COMMENDING IRA FINN FOR DISTINGUISHED SERVICE TO THE POLICE DEPARTMENT OF CHILDERSBURG, ALABAMA, AND TO THE COMMUNITY.

WHEREAS, it is with highest commendation that the Legislature of Alabama notes the distinguished career of Ira Finn as Chief of Police, Childersburg, Alabama; and

WHEREAS, Chief Finn, who was honored recently for extraordinary service to the Childersburg community, has served continuously for more than 21 years as Chief of Police, and prior to that, had worked for the City, off and on, since 1947; and

WHEREAS, as an exemplary law enforcement officer and one who holds a distinguished record of felony arrest convictions, Chief Finn is held in highest regard by his fellow citizens, coworkers and peers; and

WHEREAS, we further note that Chief Finn, along with Assistant Chief Lewis Finn, are second generation law enforcement officers, having followed in the footsteps of their uncle, Tim Finn, who served as Chief of Police for the Childersburg Department for some 40 years; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That in recognition of his outstanding law enforcement career and distinguished community service, we hereby commend retiring Police Chief Ira Finn of Childersburg, Alabama, to whom a copy of this resolution of highest praise and regard shall be presented.

On motion of Senator Preuitt, the Rules were suspended and the Resolution was adopted by the Senate.

BILLS ON THIRD READING RESUMED

THE BILL:

S. 165. To amend Sections 34-33-1, 34-33-2, 34-33-3, 34-33-4, 34-33-5, 34-33-6 and 34-33-10 of the Code of Alabama 1975, relating to fire protection sprinkler systems, so as to redefine such systems and to further regulate the fire protection sprinkler system business in this state.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 22; Nays 0.

Yeas:

Senators:	Corbett	Ellis	Horn
Amari	deGraffenried	Foshee	Langford
Bailey	Denton	Goodwin	Mitchem
Bedsole	Dial	Hale	Preuitt
Cabaniss	Dixon	Hand	Smith (J)
Campbell	Drinkard	Hilliard	—22

Nays: —0

THE BILL:

S. 100. To amend Sections 40-6-1, 40-6-3 and 40-6-4, Code of Alabama 1975, relating to the compensation and benefits paid to supernumerary tax assessors, tax collectors, revenue commissioners, license commissioners or other elected officials charged with the assessment and/or collection of ad valorem taxes, so as to cover appointed ad valorem tax officials and provide for a surviving spouse benefit.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 24; Nays 0.

Yeas:

Senators:	deGraffenried	Foshee	Langford	
Amari	Denton	Goodwin	Mitchem	
Bailey	Dial	Hale	Parsons	
Bedford	Dixon	Hand	Preuitt	
Cabaniss	Drinkard	Hilliard	Smith (B)	
Campbell	Ellis	Horn	Smith (J)	
Corbett				—24

Nays: —0

THE BILL:

S. 191. To amend Sections 11-98-2, 11-98-4 and 11-98-5 of the Code of Alabama 1975, relating to emergency telephone service so as to provide further for procedures relating to the creation of communications districts; to provide further for personnel employed in such districts; to prescribe the corporate structure and organization of such districts, including their corporate powers and to provide that such districts may receive certain property and make certain expenditures.

was taken up.

On motion of Senator Amari, further consideration of the Bill, S. B. 191, was postponed subject to the call of the Chair.

THE BILL:

S. 68. To amend Sections 9-17-1 and 9-17-33, Code of Alabama 1975, relating to oil and gas, so as to provide for a floating rate of interest on undistributed oil and gas revenues, to provide for distribution of royalty on gas produced from natural gas wells completed in reservoir or reservoirs of Paleozoic geologic age, including periodic cash balancing, to establish semi-annual balancing periods, to provide a procedure for such balancing, to require that certain accounting data be furnished and to provide for attorney's fees in certain royalty collection suits.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 22; Nays 0.

Yeas:

Senators:	Campbell	Goodwin	Menton	
Amari	Corbett	Hale	Mitchem	
Bailey	Denton	Hand	Parsons	
Bedford	Dial	Hilliard	Smith (B)	
Bedsole	Dixon	Horn	Smith (J)	
Cabaniss	Drinkard	Langford		—22

Nays: —0

THE BILL:

S. 51. To amend §16-8-3 and §16-8-4, Code of Alabama, 1975, relating to the scheduling of regular meetings and annual public meetings of county boards of education.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Senators:	Corbett	Ellis	Horn
Amari	deGraffenried	Figures	Menton
Bailey	Denton	Goodwin	Mitchem
Bedford	Dial	Hale	Sanders
Cabaniss	Dixon	Hilliard	Smith (J)
Campbell	Drinkard		

—21

Nays: —0

RESOLUTION

Senators Corbett, Langford, Campbell, Hand, Mitchem, Parsons, Denton, Manley, Dixon, Hale, Goodwin, deGraffenried, Drinkard, Horn, Dial, Bennett, Amari, Cabaniss, Ellis, and Bedsole offered the following Senate Joint Resolution, to-wit:

S. J. R. 41. ADMONISHING CERTAIN AGENCIES TO RECOGNIZE THAT CERTAIN APPROPRIATIONS IN H. B. 28 ARE ONE-TIME APPROPRIATIONS MADE FROM NONRECURRING REVENUES AND STATING THE LEGISLATIVE INTENT BEHIND SECTION 6 OF H. B. 28.

WHEREAS, H. B. 28 which proposes the state education budget for fiscal year 1988-89 contains the following enumerated appropriations from nonrecurring revenue sources:

Free Textbooks	\$ 2,000,000
Increase In Other Current Expense	5,000,000
Classroom Supplies	5,305,802
Maintenance	10,000,000
Library Enhancement	1,200,000
Vocational Education Equipment	4,000,000
Capital Facility Renovation	29,313,874
Salary Increase Locally Funded Units	5,250,000
University of Alabama System	8,556,702
Alabama A & M University	659,532
Alabama State University	656,491
Athens State College	133,587
Auburn University System	5,142,550

Jacksonville State University	731,446
Livingston University	240,658
University of Montevallo	399,886
University of North Alabama	550,433
University of South Alabama	1,706,953
Troy State University System	719,930
Junior & Technical College Systems	5,262,827
Alabama Commission on Higher Education- EPSCoR	2,000,000
Eminent Scholars	5,200,000
Special Industrial Job Training	4,100,000
Public Library Service	1,500,000
Council on Arts & Humanities	1,000,000
Institute for the Deaf & Blind	865,000
Alabama Special Educational Trust Fund Reserve Account	21,000,000

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Legislature hereby notes that the aforementioned appropriations are one-time appropriations made from nonrecurring revenues and admonish the recipients of said appropriations to note the same.

BE IT FURTHER RESOLVED, That the legislative intent of Section 6 of H. B. 28 which provides that the Department of Corrections shall contract with the Postsecondary Education Department to provide for prison education expansion is that the entire appropriation shall be expended for said purpose and that there shall be no loss in benefits, compensation or contracts of any employee of the Postsecondary Education Department.

On motion of Senator Bailey, the Rules were suspended and the Resolution was adopted by the Senate.

BILLS ON THIRD READING RESUMED

THE BILL:

S. 171. To amend Section 26-16-5, Code of Alabama 1975, relating to meetings of the Child Abuse and Neglect Prevention Board, so as to delete two mandated meeting dates of such Board.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

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Yeas 20; Nays 0.

Yeas:

Senators:	Corbett	Drinkard	Langford	
Bailey	deGraffenried	Goodwin	Manley	
Bedford	Denton	Hale	Menton	
Bedsole	Dial	Hilliard	Mitchem	
Cabaniss	Dixon	Horn	Smith (J)	
Campbell				—20

Nays: —0

THE BILL:

S. 62. To amend Section 14-1-14 of the Code of Alabama 1975, increasing the Corrections revolving fund to \$40,000.00.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 23; Nays 0.

Yeas:

Senators:	Corbett	Ellis	Langford	
Amari	deGraffenried	Goodwin	Manley	
Bedsole	Denton	Hale	Menton	
Bennett	Dial	Hand	Mitchem	
Cabaniss	Dixon	Hilliard	Preuitt	
Campbell	Drinkard	Horn	Smith (J)	—23

Nays: —0

THE BILL:

S. 76. To make a supplemental appropriation to the Alabama Real Estate Commission from the Real Estate Commission Fund for capital outlay for the fiscal year ending September 30, 1988.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 22; Nays 0.

Yeas:

Senators:	Campbell	Drinkard	Langford	
Amari	Corbett	Ellis	Manley	
Bedford	Covington	Foshee	Menton	
Bedsole	Denton	Goodwin	Mitchem	
Bennett	Dial	Hale	Smith (J)	
Cabaniss	Dixon	Horn		—22

Nays: —0

THE BILL:

S. 72. To make an appropriation from the State General Fund to the Mallard Fox Creek Port and Industrial Park for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 23; Nays 0.

Yeas:

Senators:	Campbell	Drinkard	Hand	
Amari	Corbett	Ellis	Horn	
Bailey	Covington	Figures	Langford	
Bedsole	Denton	Foshee	Menton	
Bennett	Dial	Goodwin	Mitchem	
Cabaniss	Dixon	Hale	Smith (J)	—23

Nays: —0

THE BILL:

H. 10. To require the state department of human resources to charge a fee in the amount of \$1,000.00 to be assessed as costs against the petitioners for investigation services performed in certain independent cases involving adoption; and to require that said fees shall be deposited in the state treasury to the credit of state general fund.

was read a third time at length and passed.

Yeas 17; Nays 4.

Yeas:

Senators:	Covington	Foshee	Horn	
Bailey	Dixon	Goodwin	Langford	
Bedford	Drinkard	Hale	Mitchem	
Bennett	Ellis	Hand	Smith (B)	
Campbell	Figures			—17

Nays:

Senators:	Corbett	deGraffenried	Parsons	
Amari				—4

THE BILL:

H. 11. To require the state department of human resources to charge a fee at a certain hourly rate to be assessed as costs against the parties for investigation services performed in cases involving divorce or divorce modifications, and to require that said fees shall be deposited in the state treasury to the credit of the state general fund.

was read a third time at length and passed.

Yeas 22; Nays 1.

Yeas:

Senators:	Campbell	Drinkard	Hand	
Bailey	Corbett	Ellis	Menton	
Bedford	Covington	Figures	Mitchem	
Bedsole	deGraffenried	Foshee	Parsons	
Bennett	Denton	Goodwin	Rice	
Cabaniss	Dixon	Hale		—22

Nay: Senator Amari —1

MESSAGE FROM THE HOUSE

Mr. President Pro Tem:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 19. Relating to Barbour County, providing for an increase in certain court costs and providing for the disposition of the proceeds from the increase.

Also:

H. 20. Relating to Barbour County, providing an expense allowance for the circuit judge, district attorney, district judge and circuit clerk, and to provide for the funding of said allowance.

Also:

H. 87. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Decatur, in Morgan County.

Also:

H. 89. Relating to Crenshaw County; providing for the establishment of a consolidated and unified system of assessment and collection of taxes under the supervision of an elective county official designated as county revenue commissioner; prescribing the powers, duties, term of office and compensation of said county revenue commissioner, and providing for his election; abolishing the county offices of tax assessor and tax collector in Crenshaw County; repealing conflicting laws; and prescribing the effective date of this act.

Also:

H. 91. Relating to the City of Tuscaloosa, Tuscaloosa County, fire-fighters, so as to establish longevity pay in addition to compensation and the manner of such payments.

Also:

H. 123. To authorize the county commission of Russell County, acting pursuant to Amendment No. 373 to the Constitution of Alabama of 1901, to increase the rate at which there is levied and collected by Russell County, on all taxable property situated within said county, an ad valorem tax for public buildings, bridges or roads by an amount which shall not exceed, for any tax year of said county, \$.65 on each one hundred dollars (6-1/2 mills on each dollar) of assessed value and to provide for a referendum.

Also:

H. 235. Relating to Lawrence County, providing for an advisory referendum election relating to the manner of electing the members of the county commission.

Also:

H. 242. To alter or rearrange the boundary lines of the City of Andalusia, Covington County, Alabama, so as to include within the corporate limits of said city all territory now within such corporate limits and also certain other territory contiguous thereto, in Covington County, Alabama.

Also:

H. 243. Relating to Covington County; providing for the collection of municipal and/or county vehicle use tax on vehicles purchased from out-of-state dealers or Alabama dealers who failed to collect municipal and/or county sales taxes at the time of sale; and providing for the disposition of the proceeds.

Also:

H. 269. Relating to Talladega County; to provide for the mailing address of the grantees to appear on all conveyances of real property recorded in the probate office of such county.

Also:

H. 281. Relating to Dale County; providing for the establishment of a consolidated and unified system of assessment and collection of taxes under the supervision of an elective county official designated as county revenue commissioner; prescribing the powers, duties, term of office and compensation of said county revenue commissioner, and providing for his election; abolishing the county offices of tax assessor and tax collector in Dale County; repealing conflicting laws; and prescribing the effective date of this act.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President Pro Tem:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 92. Relating to Crenshaw County; to provide for the election of the county superintendent and for the filling of unexpired terms of office resulting from vacancies; subject to the approval of a majority of the qualified electors of Crenshaw County voting thereon at a referendum election.

Also:

H. 93. Relating to Tuscaloosa County and the Firemen's and Police-men's Pension and Relief Fund for the City of Tuscaloosa, further amending Act No. 328, H. 854, 1959 Regular Session, providing for an increase in the amount to be deducted from the salary of each fireman and policeman, increasing the amount to be paid into the fund out of the treasury of city by the governing body of the city and to change the requirements relating to the signing of warrants or checks for payment of amounts from the fund.

Also:

H. 102. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Sylacauga, in Talladega County.

Also:

H. 127. Relating to Coffee County, to provide for the salary of the Probate Judge, the Revenue Commissioner and the Sheriff.

Also:

H. 129. Relating to Coffee County, to designate the bridge over White Water Creek on Highway 167 the Clowers Bridge and to provide for the preparation and erection of signs.

Also:

H. 168. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Hartselle, in Morgan County.

Also:

H. 169. Relating to Morgan County; authorizing and empowering the Morgan County commission and the governing bodies of the incorporated municipalities in such county to regulate and control through the issuance of permits the location of rock quarry blasting operations within the county.

Also:

H. 182. Relating to Baldwin County; to alter, rearrange and extend the boundary lines and corporate limits of the municipality of Fairhope in Baldwin County.

Also:

H. 189. Relating to Talladega County, requiring the inspection of all asphalt plants eligible to bid on the sale of asphalt plant mix to the county or any municipality within the county by the highway department.

Also:

H. 193. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Hartselle, in Morgan County.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President Pro Tem:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 122. To propose a self-executing amendment to the Constitution of Alabama of 1901 relative to the compensation of the judge of probate of Crenshaw County.

Also:

H. 225. To propose an amendment to the Constitution of Alabama of 1901, relating to fire protection districts in Washington County, so as to provide for the levy and collection of certain additional property tax for fire protection in said county.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

BILLS ON THIRD READING RESUMED

THE BILL:

H. 23. To amend section 32-6-15, Code of Alabama 1975, relating to fees for duplicate drivers' licenses, so as to increase the fee for a duplicate of lost or destroyed licenses.

was taken up.

On motion of Senator Parsons, further consideration of the Bill, H. B. 23, was postponed subject to the call of the Chair.

THE BILL:

H. 111. To amend section 32-6-8, Code of Alabama 1975, relating to learning permits for drivers' licenses, so as to provide for a four-year learner's license and increase the fees accordingly.

was taken up.

On motion of Senator Parsons, further consideration of the Bill, H. B. 111, was postponed subject to the call of the Chair.

THE BILL:

H. 142. To amend section 32-7-4, Code of Alabama 1975, relating to fees for abstracts of driving records, so as to increase the fee for an abstract of a driving record from \$4.00 to \$5.50.

was taken up.

On motion of Senator Parsons, further consideration of the Bill, H. B. 142, was postponed subject to the call of the Chair.

THE BILL:

H. 26. To amend section 32-2-8, Code of Alabama 1975, relating to fees charged for copies of records of the Department of Public Safety, so as to increase the fee charged for a copy of any record in the files of the department of public safety.

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was read a third time at length and passed.

Yeas 18; Nays 0.

Yeas:

Senators:	Campbell	Ellis	Hilliard	
Amari	Corbett	Foshee	Horn	
Bailey	Covington	Goodwin	Preuitt	
Bedsole	Denton	Hale	Rice	
Cabaniss	Dixon	Hand		—18

Nays: —0

THE BILL:

H. 52. To amend Sections 9-11-44 and 9-11-53, Code of Alabama 1975, relating to annual resident hunting and fishing licenses, respectively, so as to increase the license fees, to further provide for a hunting license exemption for certain residents, to delete a provision for a county fishing license, to increase the fishing license issuance fee, to further provide for an exemption relating to certain fishing by certain county residents, to provide for an exemption for certain persons fishing pursuant to Act No. 88-578, to increase the penalties in Section 9-11-44, and to authorize the issuance of licenses on a combination basis.

was taken up.

On motion of Senator Bedsole, further consideration of the Bill, H. B. 52, was postponed subject to the call of the Chair.

THE BILL:

H. 120. To amend section 8-6-3, Code of Alabama 1975, relating to registration of securities dealers and salesmen, so as to increase the fees for registration of dealers and salesmen and to make the fees nonrefundable.

was read a third time at length and passed.

Yeas 23; Nays 1.

Yeas:

Senators:	Campbell	Figures	Manley	
Amari	Corbett	Foshee	Mitchem	
Bailey	deGraffenried	Goodwin	Preuitt	
Barron	Denton	Hale	Sanders	
Bennett	Dixon	Horn	Smith (B)	
Cabaniss	Ellis	Langford	Smith (J)	—23

Nay: Senator Bedford —1

THE BILL:

H. 138. To provide that the alcoholic beverage control board shall under certain conditions audit and collect certain taxes on beer or table wine levied for the benefit of local governing bodies.

was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Senators:	deGraffenried	Goodwin	Mitchem	
Bailey	Denton	Hale	Preuitt	
Barron	Dixon	Hand	Sanders	
Cabaniss	Ellis	Horn	Smith (B)	
Campbell	Figures	Manley	Smith (J)	
Corbett	Foshee			—21

Nays:				—0
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THE BILL:

H. 147. To amend Section 35-12-38, Code of Alabama 1975, so as to permit stocks in custodial possession of the state to be sold through an established stock exchange or over the counter at prevailing prices and to permit the redemption of government and corporate bonds that have reached maturity.

was read a third time at length and passed.

Yeas 20; Nays 3.

Yeas:

Senators:	deGraffenried	Foshee	Manley	
Amari	Denton	Goodwin	Mitchem	
Bailey	Dixon	Hale	Sanders	
Bennett	Drinkard	Hand	Smith (B)	
Cabaniss	Ellis	Horn	Smith (J)	
Campbell				—20

Nays:

Senators:	Bedford	Corbett	Figures	—3
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MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills and House Joint Resolutions, your signature thereto is requested.

H. 29. To make a supplemental appropriation of \$1,000,000 from the Alabama Special Educational Trust Fund to the Alabama Commission on Higher Education for the EPSCoR program for the fiscal year ending September 30, 1988.

Also:

H. 32. To make an appropriation of \$115,000 from the Alabama Special Educational Trust Fund to the League for the Advancement of Education for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

Also:

H. J. R. 85. COMMENDING THE ONEONTA HIGH SCHOOL GIRLS' VOLLEYBALL TEAM ON THEIR OUTSTANDING 1988 SEASON.

Also:

H. J. R. 86. MOURNING THE DEATH OF ANNA LOUISE MORRISS STAPLES OF MOBILE, ALABAMA.

Also:

H. J. R. 87. MOURNING THE DEATH OF JAMES E. MOORE, JR., OF BESSEMER, ALABAMA.

Also:

H. J. R. 88. NAMING THE BRIDGE ON STATE HIGHWAY 52, BETWEEN THE CITIES OF SLOCOMB AND HARTFORD, AND CROSSING HURRICANE CREEK, IN MEMORY AND HONOR OF JESSIE THOMPSON FONDREN, JR.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS AND RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills and House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 10. To require the state department of human resources to charge a fee in the amount of \$1,000.00 to be assessed as costs against the petitioners for investigation services performed in certain independent cases involving adoption; and to require that said fees shall be deposited in the state treasury to the credit of state general fund.

Also:

H. 11. To require the state department of human resources to charge a fee at a certain hourly rate to be assessed as costs against the parties for investigation services performed in cases involving divorce or divorce modifications, and to require that said fees shall be deposited in the state treasury to the credit of the state general fund.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 159. To amend Section 32-6-61, Code of Alabama 1975, as amended, to provide that the special license tag or license plate fees provided by Section 32-6-150(a) shall not be prorated, but shall be paid on an annual basis.

was taken up.

On motion of Senator Corbett, further consideration of the Bill, H. B. 159, was postponed temporarily.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Reps. Newton and Spratt (With Notice and Proof):

H. 195. To amend Act No. 453 of the 1967 Regular Session of the Legislature of Alabama, (1967 Acts of Alabama, page 1129), as amended by Act No. 393 of the 1975 Regular Session of the Legislature of Alabama, said acts providing a pension and relief fund for officers and employees of the library board of any city having a population of three hundred thousand or more according to the last and any subsequent federal census, said act applicable to the officers and employees of the Birmingham Public Library System, to provide for the participation of the employees of the library board who are currently entitled to participate in the unclassified pension relief plan of the City of Birmingham to participate in the Birmingham Library Board Employees Pension and Relief Fund and to provide for related matters.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 195, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Reps. Newton and Spratt (With Notice and Proof):

H. 196. To amend section 11-52-32 of the Code of Alabama 1975 relating to planning, zoning and subdivisions, so as to provide further for the planning commissions of Class 1 municipalities to elect no less than three and no more than five of the members thereof to serve as a committee to approve or disapprove any plat presented to such commission.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 196, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,
Clerk.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 195 and 196—to the Committee on Local Legislation No. 2

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Reps. Spratt, Seibels, Biddle, Davis, Perdue, Newton, and Payne (With Notice and Proof):

H. 180. Relating to Jefferson County; requiring the county commission to make certain office space provisions in the new Jefferson County Sheriff's Headquarters building located at Eighth Avenue and 22nd Street, North, in the City of Birmingham for certain personnel in the sheriff's department.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 180, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Reps. McDowell, Curry, and McClain (With Notice and Proof):

H. 190. Relating to Jefferson County; to continue the office of Assistant Sheriff, Bessemer Division; to prescribe the duties, responsibilities and term; to provide for the appointment, qualifications and compensation of said office; to repeal all conflicting statutes; to provide for severability of the provisions of this act and to prescribe the effective date of such act.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 190, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,
Clerk.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 180 and 190—to the Committee on Local Legislation No. 2

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Rep. Perdue (With Notice and Proof):

H. 228. To amend Act No. 1272 of the Regular Session of the Legislature of Alabama of 1973, approved September 18, 1973, as amended, to provide

for the participation of the unclassified employees of the City of Birmingham in the retirement and relief system of the City of Birmingham and to provide for related matters.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 228, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Rep. Perdue (With Notice and Proof):

H. 229. Relating to Jefferson County; to amend Article VI of Act No. 1272, H. 620, 1973 Regular Session (Acts 1973, p. 2124), relating to the extraordinary disability benefits of the City of Birmingham Retirement and Relief System, so as to provide that extraordinary disability benefits shall not be paid to any participant who joins the system on or after January 1, 1989, during any period that a disabled participant is able to perform other duties in his job classification or the customary duties of another job with that participant's employer, which duties or job has been offered to participant and which job pays a salary or wage equal to or greater than the salary or wage such participant was earning at the time of the incident causing the disability, and to provide that, for injuries occurring after January 1, 1989, the Board of Managers may waive the one-year limitation and grant an application for extraordinary disability allowance if granted within thirty-six months after the incident resulting in such disability.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 229, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,
Clerk.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 228 and 229—to the Committee on Local Legislation No. 2

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Reps. Spratt and Newton (With Notice and Proof):

H. 197. To amend Act No. 929, 1951 Regular Session (General Acts of 1951, p. 1579), as amended by Act No. 1272, 1973 Regular Session (Acts 1973, p. 2124), and as previously and subsequently amended, which created a retirement system for officers and employees in cities of two hundred thousand or more inhabitants according to the latest federal decennial census,

so as to provide further for the payments of benefits during periods of re-employment.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 197, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Reps. Spratt, Davis, Newton, Perdue, Wright, Seibels, Biddle, Rogers, Payne, McClain, White (G), Gray, Slaughter, and Curry (With Notice and Proof):

H. 301. Relating to counties having a population excess of 500,000 according to the most recent federal decennial census; to amend Section 1 of Act No. 81-752, H. 33, 1981 Regular Session, which relates to the compensation of certain election officials so as to increase their compensation.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 301, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,
Clerk.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 197 and 301—to the Committee on Local Legislation No. 2

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Hogan:

H. 224. To amend Section 36-1-6.1 of the Code of Alabama 1975, relating to insurance coverage for state employees or agents of the state, so as to provide that such coverage includes individuals serving as foster parents approved by the Department of Human Resources.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 224—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Reps. Rogers, Spratt, McClain, McDowell, Newton, Davis, Wright, Escott, and Perdue (With Notice and Proof):

H. 312. Relating to Jefferson County; to provide for a county supplemental salary for any full-time court referee or full-time standing master in an amount equal to fifty percent (50%) of the county supplemental salary payable to their respective appointing judges, to be paid from the general fund.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 312, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Rep. Bryant (With Notice and Proof):

H. 322. Authorizing the county commission of Perry County to provide for a chief clerk and not more than two additional clerks to assist the county commission of Perry County in the performance of its duties.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 322, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,
Clerk.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 312—to the Committee on Local Legislation No. 2

H. B. 322—to the Committee on Local Legislation No. 1

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Kennedy:

H. 139. To authorize the department of human resources to remove certain items of fully depreciated state property which have little or no resale or reuse value to the state from state property inventory by transferring title and ownership of same to purchase of service contractors who will

continue to utilize those items in providing needed services to clients of the department of human resources.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 139—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Zoghby:

H. 77. This bill amends §16-8-3 and §16-8-4, Code of Alabama, 1975, relating to the scheduling of regular meetings and annual public meetings of county boards of education.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 77—to the Committee on Education

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Reps. Starkey, Dillard, Brooks, Hamilton, Freeman, Grayson, Marks, Richardson, and Bowling:

H. 16. To amend Section 37-1-47 of the Code of Alabama 1975, relating to Public Service Commission intervention in certain federal proceedings, so as to provide further for participation in federal proceedings by the Public Service Commission.

Also:

By Rep. Payne:

H. 297. To propose an amendment to the Constitution of Alabama of 1901, to empower the legislature from time to time by local act to authorize or require the Jefferson County Commission to prohibit the overgrowth of weeds and the storage and accumulation of certain junk, motor vehicles and

litter and to provide for the implementation, administration and enforcement of said prohibition and the assessment of certain criminal penalties; and to also provide for the validation of certain acts.

Also:

By Reps. Carothers, Mathis, and Beasley:

H. 315. To amend Sections 1.03, 3.02, 3.14, 4.01, 4.02, 6.02 and 10.01 of Act No. 88-445, H. 963 of the 1988 Regular Session appearing in Article 1 of Chapter 44E of Title 11, Code of Alabama 1975, providing for a Mayor/Commission/City Manager form of government for Class 5 municipalities upon adoption by a municipality, so as to further provide for said form of government for Class 5 municipalities.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 16—to the Committee on Commerce, Transportation, and Utilities

H. B. 297—to the Committee on Local Legislation No. 2

H. B. 315—to the Committee on Judiciary

The above Bill, H. B. 297, was read a first time at length as required by the Constitution.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment.

By Reps. Mathis and Williams:

H. 7. Proposing an amendment to the Constitution of 1901, as amended, relating to the legislative process for considering the major appropriations bills for the operations of education, the operations of the executive, legislative and judicial branches of state government, the state public debt, and the other business of state government and setting a time frame therefor; and repealing Amendment No. 448 to the Constitution of 1901, as amended, Act No. 81-889, S. 32, First Special Session 1981 (Acts 1981, First, Second and Third Special Sessions, p. 25) relating to the legislative process for certain appropriations.

Also:

By Rep. Ford:

H. 96. To amend sections 16-33B-1, 16-33B-3 and 16-33B-4, Code of Alabama 1975, relating to the Alabama guaranteed student loan program, so as to define approved lender, student loans, Federal Student Loan Law and eligible institution; to provide program administration in accordance with the Federal Student Loan Law; to provide for basic powers and duties of

the Alabama Commission on Higher Education in accordance with the Federal Student Loan Law; to promote the availability of the Alabama guaranteed student loan program; and to service loans.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 7—to the Committee on Judiciary

H. B. 96—to the Committee on Education

The above Bill, H. B. 7, was read a first time at length as required by the Constitution.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 9. Relating to Lawrence County, providing for an advisory referendum election relating to the manner of electing the members of the county commission.

Also:

S. 66. Relating to Lamar County, amending Act No. 82-114, H. 522, 1982 Regular Session, which provided for the compensation of certain county officials, so as to increase the compensation of members of the board of registrars.

Also:

S. 67. Relating to Lamar County, amending Act No. 82-114, H. 522, 1982 Regular Session, which provided for the compensation of certain county officials, so as to increase the compensation of members of the board of registrars.

Also:

S. 160. Relating to Marengo County; to create a license-issuing division within the probate judge's office for the issuance of certain licenses; to provide for the selection of personnel for such license-issuing division; to provide certain duties for the division; to provide for an optional procedure for the renewal of motor vehicle licenses in the county by mail; to authorize certain postal cost reimbursement plus a fee not to exceed \$1.00 pursuant to such system of renewal of motor vehicle licenses by mail; to prescribe more convenient and efficient procedures for assessing and collecting of certain taxes; the issuance of licenses by the probate judge's office; and to transfer certain duties now performed by the revenue commissioner to said probate office.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Rep. Laird (With Notice and Proof):

H. 326. Relating to Clay County, repealing Act No. 88-426, H. 938, enacted in the Regular Session of 1988, allowing the Clay County Health Department to set fees for service.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 326, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Rep. Clark (J) (With Notice and Proof):

H. 330. Relating to Barbour County; providing further for the funding of the offices of the tax assessor and tax collector.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 330, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,
Clerk.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 326 and 330—to the Committee on Local Legislation No. 1

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Rep. Bryant (With Notice and Proof):

H. 321. Authorizing the probate judge of Perry County to have a chief clerk and two additional clerks to assist the probate judge of Perry County in the performance of his duties and to provide for retroactive effect.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 321, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Reps. Bugg, Junkins, and Ford (With Notice and Proof):

H. 324. Relating to the City of Gadsden, in Etowah County, amending Section 14 of Act No. 671, H. 921 of the 1951 Regular Session (Acts 1951, Vol. II, p. 1158), as amended by Act No. 88-434, H. 59, 1988 Regular Session, which creates and establishes, within certain cities classified on a population basis, a civil service system to govern the appointment, tenure, compensation, conditions of employment and removal of certain officers and employees of such cities, so as to provide further for the meetings of the civil service board.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 324, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,
Clerk.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 321 and 324—to the Committee on Local Legislation No. 1

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Reps. Turnham and Higginbotham (With Notice and Proof):

H. 259. Relating to Lee County; levying a lodging tax, providing for the collection and distribution of said tax, and establishing the "Auburn-Opelika Convention and Visitors Bureau."

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 259, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Rep. Bryant (With Notice and Proof):

H. 309. Relating to Perry County; authorizing the county commission to levy an additional ad valorem tax in said county to be used for general purposes and providing for a referendum.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 309, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,
Clerk.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 259 and 309—to the Committee on Local Legislation No. 1

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Reps. Newton and Curry (With Notice and Proof):

H. 24. Relating to Jefferson County; to prescribe for the compensation of the Chief Deputy Sheriff of Jefferson County and to provide for the payment thereof.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 24, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Reps. Payne, Rogers, McClain, Spratt, Newton, Davis, Biddle, and Petelos (With Notice and Proof):

H. 177. Relating to Jefferson County, providing for a subsistence allowance for certain law enforcement officers.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 177, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,
Clerk.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 24 and 177—to the Committee on Local Legislation No. 2

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Reps. McDowell, Curry, McClain, and Newton (With Notice and Proof):

H. 191. To provide for the appointment of a Chief Deputy Tax Collector by the Elected Jefferson County Tax Collector and to provide for compensation, funding and qualifications of said Chief Deputy.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 191, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Reps. McDowell, Curry, McClain, and Newton (With Notice and Proof):

H. 192. To provide for the appointment of a Chief Deputy Tax Collector by the elected Jefferson County Assistant Tax Collector, Bessemer Division, and to provide for compensation, funding and qualifications of said Chief Deputy.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 192, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,
Clerk.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 191 and 192—to the Committee on Local Legislation No. 2

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Holley:

H. 128. To further provide for the powers, functions and duties of the Alabama historical commission, so as to include designating, platting and cataloging all cemeteries, whether public or private, nonprofit or otherwise, within the state for historical purposes.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 128— to the Committee on Judiciary

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 10. Relating to Morgan County; authorizing and empowering the Morgan County commission and the governing bodies of the incorporated

municipalities in such county to regulate and control through the issuance of permits the location of rock quarry blasting operations within the county.

Also:

S. 180. Relating to Baldwin County; to prohibit the placing of signs, markers and advertising, pertaining to political campaigns, on state and county controlled highways except for those signs or markers placed by or under the authority of the state or county.

Also:

S. 181. Relating to Baldwin County; providing further for the compensation of poll workers.

Also:

S. 182. Relating to Baldwin County; repealing Act No. 88-381, H. 969, 1988 Regular Session (Acts 1988, p. 569) which increased court costs and provided for the disposition of the proceeds from the increase.

Also:

S. 13. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Hartselle, in Morgan County.

JOHN W. PEMBERTON,
Clerk.

REPORT OF SECRETARY

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Bills and Senate Joint Resolutions delivered to the Governor and the Secretary of State, with the date and hour of delivery, to-wit:

S. B. 17

S. B. 16

S. B. 19

S. B. 18

Delivered to the Secretary of State September 7, 1988, at 1:52 P.M.

S. B. 11

S. J. R. 3

S. J. R. 12

S. B. 12

S. J. R. 5

S. J. R. 13

S. B. 25

S. J. R. 6

S. J. R. 15

S. B. 31

S. J. R. 10

S. J. R. 14

S. B. 33

S. J. R. 11

S. J. R. 16

Delivered to the Governor September 7, 1988, at 1:48 P.M.

McDOWELL LEE,
Secretary of Senate.

SECRETARY'S REPORT

The foregoing report of the Secretary was read and ordered spread upon the Journal.

ADJOURNMENT

At 4:15 P.M., on motion of Senator Bedford, the Senate adjourned until Thursday, September 8, 1988, at 11 o'clock A.M.

Yeas 14; Nays 11.

Yeas:

Senators:	Corbett	Goodwin	Parsons	
Bedford	Covington	Hilliard	Preuitt	
Bennett	Figures	Horn	Sanders	
Campbell	Foshee	Langford		—14

Nays:

Senators:	Barron	deGraffenried	Hale	
Amari	Bedsole	Denton	Hand	
Bailey	Cabaniss	Dixon	Manley	—11

**SEVENTH LEGISLATIVE DAY
THURSDAY, SEPTEMBER 8, 1988**

The Senate met pursuant to adjournment, Lieutenant Governor Folsom presiding.

PRAYER

The Session was opened with prayer by the Reverend Billy Walker, Sr., former Pastor, Grace Baptist Tabernacle, Montgomery, Alabama.

PLEDGE OF ALLEGIANCE

The Senators were led in the Pledge of Allegiance to the Flag of the United States of America by McCray Pettway, McIntyre Junior High School, Montgomery, Alabama.

ROLL CALL

Present:

Senators:	Campbell	Figures	Manley
Amari	Corbett	Foshee	Menton
Bailey	Covington	Goodwin	Parsons
Barron	deGraffenried	Hale	Preuitt
Bedford	Denton	Hand	Rice
Bedsole	Dial	Hilliard	Sanders
Bennett	Dixon	Holmes	Smith (B)
Bishop	Drinkard	Horn	Smith (J)
Cabaniss	Ellis	Langford	

—34

JOURNAL

On motion of Senator deGraffenried, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

**REPORT OF COMMITTEE
ON RULES ON
REVISION OF THE JOURNAL**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Sixth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

BILL DRINKARD,
Chairperson.

COMMITTEE REPORT

On motion of Senator Drinkard, the foregoing report was concurred in and the Journal of the Senate for the Sixth Legislative Day was approved by the Senate.

LEAVE OF ABSENCE

On motion of Senator deGraffenried, leave of absence was granted Senator Mitchem for today.

BILLS ON THIRD READING

Senator Denton requested and received permission to suspend the Rules in order to bring up the Bill:

H. 188. To amend sections 25-4-72, 25-4-73, 25-4-76 and 25-4-77, Code of Alabama 1975, relating to the Unemployment Compensation Act effective for weeks within benefit years beginning on and after January 1, 1989, so as to increase maximum weekly unemployment benefits to \$145, compute such weekly benefits on the average of the covered wages paid to an individual during the two quarters of his base period in which such wages were highest.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 9. Relating to Lawrence County, providing for an advisory referendum election relating to the manner of electing the members of the county commission.

Also:

S. 10. Relating to Morgan County; authorizing and empowering the Morgan County commission and the governing bodies of the incorporated municipalities in such county to regulate and control through the issuance of permits the location of rock quarry blasting operations within the county.

Also:

S. 13. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Hartselle, in Morgan County.

Also:

S. 66. Relating to Lamar County, amending Act No. 82-114, H. 522, 1982 Regular Session, which provided for the compensation of certain county officials, so as to increase the compensation of members of the board of registrars.

Also:

S. 67. Relating to Lamar County, amending Act No. 82-114, H. 522, 1982 Regular Session, which provided for the compensation of certain county officials, so as to increase the compensation of members of the board of registrars.

Also:

S. 160. Relating to Marengo County; to create a license-issuing division within the probate judge's office for the issuance of certain licenses; to provide for the selection of personnel for such license-issuing division; to provide certain duties for the division; to provide for an optional procedure for the renewal of motor vehicle licenses in the county by mail; to authorize certain postal cost reimbursement plus a fee not to exceed \$1.00 pursuant to such system of renewal of motor vehicle licenses by mail; to prescribe more convenient and efficient procedures for assessing and collecting of certain

taxes; the issuance of licenses by the probate judge's office; and to transfer certain duties now performed by the revenue commissioner to said probate office.

Also:

S. 180. Relating to Baldwin County; to prohibit the placing of signs, markers and advertising, pertaining to political campaigns, on state and county controlled highways except for those signs or markers placed by or under the authority of the state or county.

Also:

S. 181. Relating to Baldwin County; providing further for the compensation of poll workers.

Also:

S. 182. Relating to Baldwin County; repealing Act No. 88-381, H. 969, 1988 Regular Session (Acts 1988, p. 569) which increased court costs and provided for the disposition of the proceeds from the increase.

BILL DRINKARD,
Chairperson.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing report from the Committee on Rules.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following engrossed Senate Bill with the original Senate Bill, and finds same correctly engrossed, to-wit:

S. 132. To establish the "Alabama Hazardous Substance Cleanup Fund"; to provide that such fund shall be used for the cleanup and restoration of abandoned or inactive sites at which improper treatment, storage or disposal of hazardous substances has occurred; to plan and undertake the rehabilitation, removal and cleanup of hazardous substances deposited improperly at sites located within Alabama; to provide that this fund shall be used for sites not qualified for or unlikely to receive funding for cleanup from funds designated for cleanups under the federal Comprehensive Environmental Response, Compensation and Liability Act of 1980 (42 U.S.C. §9601 et seq.) and to provide state matching funds for cleanups under the federal Comprehensive Environmental Response, Compensation and Liability Act of 1980; to provide for penalties and recovery of cleanup costs; to provide that the fund shall be administered by the Alabama Department of Environmental Management; and to direct the Alabama Department of Environmental Management to secure other funds whenever possible.

BILL DRINKARD,
Chairperson.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 26. To amend section 32-2-8, Code of Alabama 1975, relating to fees charged for copies of records of the Department of Public Safety, so as to increase the fee charged for a copy of any record in the files of the department of public safety.

Also:

H. 120. To amend section 8-6-3, Code of Alabama 1975, relating to registration of securities dealers and salesmen, so as to increase the fees for registration of dealers and salesmen and to make the fees nonrefundable.

Also:

H. 138. To provide that the alcoholic beverage control board shall under certain conditions audit and collect certain taxes on beer or table wine levied for the benefit of local governing bodies.

Also:

H. 147. To amend Section 35-12-38, Code of Alabama 1975, so as to permit stocks in custodial possession of the state to be sold through an established stock exchange or over the counter at prevailing prices and to permit the redemption of government and corporate bonds that have reached maturity.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

FURTHER CONSIDERATION OF H. B. 188

The Senate proceeded to further consideration of the Bill, H. B. 188.

And said Bill, H. B. 188, was read a third time at length and passed.

Yeas 30; Nays 1.

Yeas:

Senators:	Covington	Foshee	Menton
Amari	deGraffenried	Goodwin	Parsons
Bailey	Denton	Hale	Preuitt
Barron	Dial	Hand	Rice
Bedsole	Dixon	Hilliard	Sanders
Bennett	Drinkard	Holmes	Smith (B)
Cabaniss	Ellis	Horn	Smith (J)
Campbell	Figures	Manley	

Nay: Senator Corbett

—30

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BILL RECONSIDERED**THE BILL:**

H. 163. Relating to employment security programs of the Department of Industrial Relations so as to provide for an assessment of 0.06% against wages paid by certain employers for a three-year period beginning January 1, 1989 and ending December 31, 1991; to provide for the collection, appropriation and disbursement of such assessment, and to provide for the establishment of the "Employment Security Administration Enhancement Fund" in the state treasury; to amend Sections 25-4-31, 25-4-54 and 25-4-143, Code of Alabama 1975, as amended, all relating to the Unemployment Compensation Trust Fund, so as to provide for a reduction of 0.06% in the rates of unemployment compensation contributions of certain employers effective for calendar years beginning on January 1, 1989 and ending on December 31, 1991, to provide for the appropriation of this and other revenue and for the transfer from the clearing account certain moneys into certain separate special funds in the state treasury.

was taken up.

The question was on the motion of Senator deGraffenried that the Senate reconsider the vote by which the Bill, H. B. 163, was passed, which said motion was postponed on the Sixth Legislative Day.

And said motion to reconsider was then adopted.

And said Bill, H. B. 163, was again read a third time at length and passed.

Yeas 26; Nays 1.

Yeas:

Senators:	Covington	Figures	Manley	
Amari	deGraffenried	Foshee	Menton	
Bailey	Denton	Goodwin	Parsons	
Bedsole	Dial	Hale	Rice	
Bennett	Dixon	Hand	Smith (B)	
Bishop	Drinkard	Holmes	Smith (J)	
Cabaniss	Ellis	Horn		—26

Nay: Senator Corbett

—1

RESOLUTIONS

Senator Langford offered the following Senate Joint Resolution, to-wit:

S. J. R. 42. COMMENDING ASU RUNNING BACK, BRAD BAXTER, FOR OUTSTANDING ACHIEVEMENT.

WHEREAS, the Alabama Legislature joins with Alabama State University, the ASU Hornets, faculty, staff and students in expressing confidence of Brad Baxter as a formidable candidate for the Heisman Trophy; and

WHEREAS, one of the nation's most outstanding backs, Brad Baxter boasts an incredible record in two years at Alabama State and, as a sophomore, was named to the Associated Press and Black College All America Teams; was Southwestern Athletic Conference Offensive Player of the Year; and received the Alonza "Jake" Gaither and Marion E. Jackson Awards; and

WHEREAS, also his sophomore year, he was number three in 1-AA rushing, with 1,705 yards and 13 touchdowns; he further rushed for more than 100 yards in 10 out of 11 games, exceeding the 1,000 yard mark in a single season; and

WHEREAS, Brad Baxter, last season was the ninth leading rusher, gaining 1,206 yards and scoring nine touchdowns; he further rushed for more than 100 yards in eight of 11 games and was named to the All-SWAC Offensive First Team; and

WHEREAS, among other outstanding achievements, the Slocomb, Alabama, native has a career high in a single game, of 233 yards; he is the number two return player in 1988 in 1-AA career rushing with 2,915 yards; and he is a top candidate for the Walter Payton Award; and

WHEREAS, Brad Baxter has indeed excelled throughout his football career, including his years at Slocomb High School where he rushed for more than 4,200 yards and scored more than 30 touchdowns; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby most highly commend Brad Baxter of Alabama State University for outstanding achievement and do further wish him every future success in continuing pursuit of athletic and academic achievement.

BE IT FURTHER RESOLVED, That a copy of this resolution be presented to Mr. Baxter.

On motion of Senator Langford, the Rules were suspended and the Resolution was adopted by the Senate.

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

S. R. 43. SPECIAL ORDER CALENDAR.

RESOLVED BY THE SENATE That the following bills in the order named shall be the paramount and continuing order of business taking precedence over all other matters upon reaching bills on third reading for the seventh legislative day of the 1988 First Special Session only:

Inst Id	Page
H. 45	42
Real Estate Commission, approp.	
H. 159	23
Motor vehicle, licensing, special license tags and fees paid annually, Secs. 32-6-61, 32-6-150, am'd.	
H. 205	22
Motor vehicles, certificate of title, transfer fees, rebuilt vehicles, inspection of, fees incr., Secs. 32-8-6, 32-8-7, 32-8-87 am'd.	
H. 209	23
Driver's licenses, cancelled, fee for reinstatement incr., Sec. 32-6-17 am'd.	

H. 233	19
Drugs and controlled substances, tax on illegal transactions, Alabama Law Enforcement Fund and Bd. estab., felony offenses for violations.	
H. 234	20
Ad valorem taxes, admin. reg., amnesty prog., mobile home treatment, interest rate on delinquencies, Secs. 40-70-1, 40-7-23, 40-8-1, 40-11-1, 40-12-240, 40-12-255, 40-12-256 am'd.	
H. 276	22
Criminal history searches, by Public Safety, fees imposed.	
H. 47	43
Insurance Cos. domestic premium tax rates incr., cert. deductions from premiums taxes removed, distrib. of proceeds, Secs. 27-4-4 and 27-4-5 amd.	
S. 64	43
State employees, cost of living salary incr. (7 1/2%).	
S. 21	35
State employees, cost-of-living pay raise.	
S. 117	13
Public Service Commission, associate commissioners and president, compensation, section 37-1-11 amended.	
S. 98	11
Consumer finance, actuarial method of computation on consumer loans and consumer credit sales, Sec. 5-19-4 am'd.	
S. 125	21
Bonds, tax exempt, procedure for allocation of state exempt ceiling imposed upon.	
S. 8	5
Criminal negligence, changed to felony, Sec. 13A-6-4 am'd.	
S. 126	26
Solid waste disposal fees, bond requirements for out-of-state household garbage. Sec. 22-27-5 am'd.	
H. 116	44
Local board of education, advance payments of, certain expenses for members and employees authorized, methods of payments prescribed.	
H. 42	37
Special educational trust fund, proration prevention account established.	

- S. 189 34
County bds. of equalization, membs.' comp. alt. for cert. cos.
to reflect incr. in total assessed prop. evaluation, Sec. 40-3-7
am'd.
- S. 150 10
Student loan program, admin. by ACHE and Public School and
College Authority, Secs. 16-33B-1, 16-33B-3, 16-33B-4 am'd.
- S. 151 17
Teachers' scholarship loans, eligibility and repayment alt., Secs.
16-6A-12, 16-6A-13 am'd.
- S. 131 29
Statewide voter registration file maintenance system, elections.

On motion of Senator Drinkard, the Resolution was adopted by the Senate.

Senators Corbett, Covington, and deGraffenried offered the following Senate Joint Resolution, to-wit:

S. J. R. 44. HONORING DAN A. EASTERLING, II, BY NAMING THE PRISON FACILITY AT CLIO, ALABAMA THE DAN A. EASTERLING, II, PRISON.

WHEREAS, the untimely death of Dan A. Easterling, II, is deeply regretted and mourned; and

WHEREAS, he was a lifelong resident of Clio, Alabama, and a graduate of Barbour County High School, Troy State Teachers' College and Jones Law School; and

WHEREAS, Dan A. Easterling, II, served as a member of the Council of the Town of Clio, Alabama and as Mayor of Clio from 1950 until his death in 1988. Mr. Easterling was a successful farmer, merchant, and banker and at the time of his death was Chairman and President of the Peoples Bank of Clio; and

WHEREAS, through his untiring efforts he was instrumental in obtaining the new prison facility for Clio, Alabama; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we do respectfully request the Department of Corrections to name the prison facility at Clio, Alabama, the "Dan A. Easterling, II, Prison."

BE IT FURTHER RESOLVED, That a copy of this resolution be forwarded to the Department of Corrections and to the family of Dan A. Easterling, II.

On motion of Senator Corbett, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:
By Rep. Headley (With Notice and Proof):

H. 311. Relating to Bibb County, to authorize the county commission to levy an additional one cent (\$.01) sales and use tax in the county in

areas located outside the municipal limits of Centreville, Brent and West Blocton; to provide for collection of said tax by the state revenue department; and to distribute the net proceeds of said tax to the county general fund.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 311, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Rep. Richardson (With Notice and Proof):

H. 335. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Scottsboro in Jackson County.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 335, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,
Clerk.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 311 and 335—to the Committee on Local Legislation No. 1

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Hettinger, Butler, and Brooks:

H. 333. To propose an amendment to the Constitution of Alabama of 1901, as amended, so that notwithstanding existing provisions thereof the governing body of the City of Huntsville in Madison County shall have the authority to make a one-time appropriation of money, up to a maximum total appropriation of \$2,000,000.00, to one or more bona fide nonprofit organizations, which at the time of such appropriation has been organized for the purpose of fostering and coordinating volunteer activity in the field of the literary, visual, or performing arts, which said appropriation is to be used exclusively for construction of one or more buildings located within said city and owned by such organization; to provide that the City of Huntsville shall also have the authority to provide up to \$100,000.00 annually for certain operational expenses and maintenance of buildings; to provide that the provisions of such amendment, if adopted, shall be self-executing; and to provide for referendum.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 333—to the Committee on Local Legislation No. 1

The above Bill was read a first time at length as required by the Constitution.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Rep. Payne (With Notice and Proof):

H. 103. Relating to Jefferson County; to amend Section 22, Act 248 of the Legislature of Alabama of 1945, as amended by Act 562, approved October 9, 1947, as amended by Act 670, approved September 16, 1953, as amended by Act 1600 (General Acts of 1971, page 2754), as amended by Acts 679 and 684, approved May 23, 1977, to provide further for remedies for employees dismissed, demoted or suspended.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 103, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Reps. Knight and Hill (With Notice and Proof):

H. 325. Relating to the Eighteenth Judicial Circuit, in Clay, Coosa and Shelby Counties, providing further for the compensation of the district attorney.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 325, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,
Clerk.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 103—to the Committee on Local Legislation No. 2

H. B. 325—to the Committee on Local Legislation No. 1

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Rep. Flowers (With Notice and Proof):

H. 336. Relating to Pike County; repealing Act No. 81-747, H. 1120, 1981 Regular Session (Acts 1981, p. 1274), entitled "An Act Relating to Pike County; to provide further for the election of the members of the county board of education," so as to allow the qualified electors in the City of Troy to vote in such elections.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 336, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Reps. Fuller and Laird (With Notice and Proof):

H. 338. Relating to Chambers County; abolishing the county offices of tax assessor and tax collector; providing for the establishment of a consolidated and unified system of assessment and collection of ad valorem taxes under the supervision of an elective county official designated as county revenue commissioner of said county; providing for the election and compensation of such revenue commissioner, and providing for a referendum upon the question of whether a majority of the qualified electors of Chambers County favor a revenue commissioner.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 338, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,
Clerk.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 336 and 338—to the Committee on Local Legislation No. 1

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 1. To propose a self-executing amendment to the Constitution of Alabama of 1901, relative to the compensation of the judge of probate of Autauga County.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 181. Relating to Coosa County, providing for an advisory referendum regarding Coosa County Commission members' compensation and the Coosa County Commission chairman's right to vote.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Campbell:

H. J. R. 128. RELATIVE TO MEETING DAYS.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That when the two houses adjourn today, Thursday, September 8, 1988, they adjourn to meet again on Tuesday, September 13, 1988.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Manley, the Rules were suspended and the Resolution, H. J. R. 128, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Holmes:

H. J. R. 130. COMMENDING MAJOR GENERAL GARY COOPER OF MOBILE, ALABAMA.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Manley, the Rules were suspended and the Resolution, H. J. R. 130, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. Johnson (RW) and Butler:

H. J. R. 127. CREATING A JOINT INTERIM LEGISLATIVE COMMITTEE ON EMERGENCY MEDICAL SERVICES.

WHEREAS, emergency medical personnel provide vital life-saving services to the citizens of this state, 24 hours a day, every day of the year; and

WHEREAS, in order to ensure the citizens of Alabama the best possible continued emergency medical services it is necessary that such services be coordinated; and

WHEREAS, the legislature of this state recognizes the importance of continuing quality emergency medical care for citizens in every corner of this state; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created a six member joint interim legislative committee to study the overall structure of emergency medical services in this state. The committee shall be composed of three members of each house, to be appointed by the presiding officer of each house. The chairman and vice chairman of the committee shall be elected at the first meeting by the members of the committee. The committee shall study all facets of emergency medical services in this state so as to ensure continued quality medical care for all areas of the state, and to coordinate a statewide plan for such services.

Upon the request of the chairman, the Secretary of the Senate and the Clerk of the House shall provide such clerical assistance as may be necessary for the committee's work. The committee shall report its findings, conclusions and recommendations to the legislature not later than the tenth legislative day of the 1989 Regular Session. Each member of the committee shall be entitled to his regular legislative compensation, his per diem and travel expenses for each day he attends a meeting of the committee which shall be paid out of any funds appropriated to the use of the legislature, upon warrants drawn on the state comptroller upon requisitions signed by the committee's chairman; provided, however, that members shall not receive additional legislative compensation or per diem when the legislature is in session or if a member is being paid any other payments on the same dates for attendance of other state business. The total expenditures of the committee shall not exceed \$5,000.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Manley, the Rules were suspended and the Resolution, H. J. R. 127, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 38. MOURNING THE DEATH OF FRED L. SANDERSON OF MOBILE, ALABAMA.

Also:

S. J. R. 39. COMMENDING ASSISTANT POLICE CHIEF LEWIS FINN FOR OUTSTANDING SERVICE TO THE CHILDERSBURG COMMUNITY.

Also:

S. J. R. 40. COMMENDING IRA FINN FOR DISTINGUISHED SERVICE TO THE POLICE DEPARTMENT OF CHILDERSBURG, ALABAMA, AND TO THE COMMUNITY.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Johnson (RG):

H. J. R. 126. COMMENDING A. F. WHITMAN UPON HIS RETIREMENT FROM THE SYLACAUGA CHAMBER OF COMMERCE.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Manley, the Rules were suspended and the Resolution, H. J. R. 126, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Reps. White (L), Campbell, Adams, Beasley, Beers, Biddle, Black, Blake, Blakeney, Bowling, Box, Breedlove, Britnell, Brooks, Bryant, Bugg, Burke, Buskey (JE), Buskey (JL), Butler, Carothers, Carter, Clark (J), Clark (W), Coburn, Cosby, Crow, Curry, Davis, Dillard, Drake, Escott, Faulk, Flowers, Ford, Frazier, Freeman, Fuller, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hamilton, Hammett, Harper, Harvey, Haynes, Headley, Hettinger, Higginbotham, Hill, Hogan, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson,

Lindsey, Logan, McClain, McDowell, McKee, McMillan, Marietta, Marks, Mathis, Melton, Mikell, Moon, Newman, Newton, Parker, Payne, Penry, Perdue, Petelos, Poole, Rains, Reed, Richardson, Rogers, Seibels, Slaughter, Spratt, Starkey, Thomas, Turner, Turnham, Venable, Walker, Warren, White (F), White (G), Williams, Willis, Wright, and Zoghby:

H. J. R. 110. COMMENDING LOUISE PITTMAN FOR OUTSTANDING SERVICE TO THE STATE OF ALABAMA.

Also:

By Rep. Gray:

H. J. R. 112. DESIGNATING NOVEMBER 14, 1988, AS "OPERATION BLESSING DAY" IN ALABAMA.

Also:

By Reps. Kvalheim, Zoghby, Marietta, Gaston, McMillan, and Penry:

H. J. R. 113. CONGRATULATING THE UMS PREPARATORY SCHOOL BASEBALL TEAM AS OUR 1988 STATE 3A CHAMPIONS.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Bedsole, the Rules were suspended and the Resolution, H. J. R. 110, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

On motion of Senator Manley, further consideration of the Resolution, H. J. R. 112, set out in the foregoing Message from the House, was postponed temporarily.

On motion of Senator Manley, the Rules were suspended and the Resolution, H. J. R. 113, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. Blake, Adams, Beasley, Beers, Biddle, Black, Blakeney, Bowling, Box, Breedlove, Britnell, Brooks, Bryant, Bugg, Burke, Buskey (JE), Buskey (JL), Butler, Campbell, Carothers, Carter, Clark (J), Clark (W), Coburn, Cosby, Crow, Curry, Davis, Dillard, Drake, Escott, Faulk, Flowers, Ford, Frazier, Freeman, Fuller, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hamilton, Hammett, Harper, Harvey, Haynes, Headley, Hettinger, Higginbotham, Hill, Hogan, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, McClain, McDowell, McKee, McMillan, Marietta, Marks, Mathis, Melton, Mikell, Moon, Newman, Newton, Parker, Payne, Penry, Perdue, Petelos, Poole, Rains, Reed, Richardson, Rogers, Seibels, Slaughter,

Spratt, Starkey, Thomas, Turner, Turnham, Venable, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright, and Zoghby:

H. J. R. 124. COMMENDING JEREMY LOWERY OF MARGARET, ALABAMA.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Manley, the Rules were suspended and the Resolution, H. J. R. 124, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Rep. White (F):

H. J. R. 4. CONGRATULATING MR. AND MRS. THEODORE S. OWENS ON THE OCCASION OF THEIR 50TH WEDDING ANNIVERSARY.

Also:

By Rep. White (F):

H. J. R. 5. COMMENDING MARTHA KIRKLAND OF BREWTON, ALABAMA, UPON HER RETIREMENT AS JUDGE OF PROBATE OF ESCAMBIA COUNTY.

Also:

By Rep. Layson:

H. J. R. 7. COMMENDING JOHN D. LAMMERS FOR DISTINGUISHED SERVICE TO BOY SCOUTS OF AMERICA.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Manley, the Rules were suspended and the Resolutions, H. J. R.'s 4, 5, and 7, set out in the foregoing Message from the House, were concurred in and adopted by the Senate.

FURTHER CONSIDERATION OF H. J. R. 112

The Senate proceeded to further consideration of the Resolution, H. J. R. 112.

Senator Amari offered the following amendment to the Resolution, H. J. R. 112, to-wit:

AMENDMENT TO H. J. R. 112

Amend H. J. R. 112 Page 2 Line 24, by striking out fourteen after the word thousand and insert there in the word four.

Which was adopted.

And on motion of Senator Amari, the Rules were suspended and said Resolution, H. J. R. 112, as thus amended, was concurred in and adopted.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Black:

H. J. R. 43. NAMING A PORTION OF STATE HIGHWAY 17 IN SUMTER COUNTY, ALABAMA, IN HONOR OF DR. MARTIN LUTHER KING, JR.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Manley, the Rules were suspended and the Resolution, H. J. R. 43, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Rep. Layson:

H. J. R. 8. COMMENDING THE PILOT CLUB OF NORTHPORT ON ITS "SUCCESS THROUGH SERVICE" AND CONTRIBUTIONS TO THE NORTHPORT COMMUNITY.

Also:

By Rep. Layson:

H. J. R. 9. CONGRATULATING THE PICKENS ACADEMY PIRATES ON THEIR OUTSTANDING 1988 BASEBALL SEASON AND FIRST PLACE RANKING IN APSA COMPETITION.

Also:

By Rep. Richardson:

H. J. R. 20. COMMENDING THE SCOTTSBORO CITY SCHOOLS AND STAFF ON THE ESTABLISHMENT AND OPERATION OF AN EXEMPLARY INDIAN EDUCATION PROGRAM.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Manley, the Rules were suspended and the Resolutions, H. J. R.'s 8, 9, and 20, set out in the foregoing Message from the House, were concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Rep. Blake:

H. J. R. 25. COMMENDING JOYCE CLARK FOR OUTSTANDING VOLUNTEER SERVICE TO THE PELL CITY COMMUNITY.

Also:

By Rep. Blake:

H. J. R. 26. COMMENDING JOYCE G. NIX FOR DISTINGUISHED SERVICE TO THE GREATER PELL CITY CHAMBER OF COMMERCE AND THE COMMUNITY.

Also:

By Rep. Black:

H. J. R. 27. CONGRATULATING MR. AND MRS. JOHN C. BELL ON THE OCCASION OF THEIR 50TH WEDDING ANNIVERSARY.

Also:

By Rep. Blakeney:

H. J. R. 29. CONGRATULATING THOMASVILLE HIGH SCHOOL ON THE CLASS 4A STATE BASEBALL CHAMPIONSHIP.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Manley, the Rules were suspended and the Resolutions, H. J. R.'s 25, 26, 27, and 29, set out in the foregoing Message from the House, were concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Reps. Hammett, Adams, Beasley, Beers, Biddle, Black, Blake, Blakeney, Bowling, Box, Breedlove, Britnell, Brooks, Bryant, Bugg, Burke, Buskey (JE), Buskey (JL), Butler, Campbell, Carothers, Carter, Clark (J), Clark (W), Coburn, Crow, Curry, Davis, Dillard, Drake, Escott, Faulk, Flowers, Ford, Frazier, Freeman, Fuller, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hamilton, Harper, Harvey, Haynes, Headley, Hettinger, Higginbotham, Hill, Hogan, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, McClain, McDowell, McKee, McMillan, Marietta, Marks, Mathis, Melton, Mikell, Moon, Newman, Newton, Parker, Payne, Penry, Perdue, Petelos, Poole, Rains, Reed, Richardson, Rogers, Seibels, Slaughter,

Spratt, Starkey, Thomas, Turner, Turnham, Venable, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright, and Zoghby:

H. J. R. 74. COMMENDING W. F. (NOOPIE) COSBY, JR., OF SELMA, ALABAMA, LEGISLATIVE CONSERVATIONIST OF THE YEAR.

Also:

By Reps. Hammett, Adams, Beasley, Beers, Biddle, Black, Blake, Blakeney, Bowling, Box, Breedlove, Britnell, Brooks, Bryant, Bugg, Burke, Buskey (JE), Buskey (JL), Butler, Campbell, Carothers, Carter, Clark (J), Clark (W), Coburn, Crow, Curry, Davis, Dillard, Drake, Escott, Faulk, Flowers, Ford, Frazier, Freeman, Fuller, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hamilton, Harper, Harvey, Haynes, Headley, Hettinger, Higginbotham, Hill, Hogan, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, McClain, McDowell, McKee, McMillan, Marietta, Marks, Mathis, Melton, Mikell, Moon, Newman, Newton, Parker, Payne, Penry, Perdue, Petelos, Poole, Rains, Reed, Richardson, Rogers, Seibels, Slaughter, Spratt, Starkey, Thomas, Turner, Turnham, Venable, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright, and Zoghby:

H. J. R. 75. COMMENDING W. F. (NOOPIE) COSBY, JR., RECIPIENT OF THE ALABAMA TRAVEL COUNCIL'S AWARD OF EXCELLENCE.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Manley, the Rules were suspended and the Resolutions, H. J. R.'s 74 and 75, set out in the foregoing Message from the House, were concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. Blake, Adams, Beasley, Beers, Biddle, Black, Blakeney, Bowling, Box, Breedlove, Britnell, Brooks, Bryant, Bugg, Burke, Buskey (JE), Buskey (JL), Butler, Campbell, Carothers, Carter, Clark (J), Clark (W), Coburn, Cosby, Crow, Curry, Davis, Dillard, Drake, Escott, Faulk, Flowers, Ford, Frazier, Freeman, Fuller, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hamilton, Hammett, Harper, Harvey, Haynes, Headley, Hettinger, Higginbotham, Hill, Hogan, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, McClain, McDowell, McKee, McMillan, Marietta, Marks, Mathis, Melton, Mikell, Moon, Newman, Newton, Parker, Payne, Penry, Perdue, Petelos, Poole, Rains, Reed, Richardson, Rogers, Seibels, Slaughter, Spratt, Starkey, Thomas, Turner, Turnham, Venable, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright, and Zoghby:

H. J. R. 24. COMMENDING THE PELL CITY BRONCO ALL-STARS ON THEIR OUTSTANDING SEASON.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Manley, the Rules were suspended and the Resolution, H. J. R. 24, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. Cosby, Adams, Beasley, Beers, Biddle, Black, Blake, Blakeney, Bowling, Box, Breedlove, Britnell, Brooks, Bryant, Bugg, Burke, Buskey (JE), Buskey (JL), Butler, Campbell, Carothers, Carter, Clark (J), Clark (W), Coburn, Crow, Curry, Davis, Dillard, Drake, Escott, Faulk, Flowers, Ford, Frazier, Freeman, Fuller, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hamilton, Hammett, Harper, Harvey, Haynes, Headley, Hettinger, Higginbotham, Hill, Hogan, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, McClain, McDowell, McKee, McMillan, Marietta, Marks, Mathis, Melton, Mikell, Moon, Newman, Newton, Parker, Payne, Penry, Perdue, Petelos, Poole, Rains, Reed, Richardson, Rogers, Seibels, Slaughter, Spratt, Starkey, Thomas, Turner, Turnham, Venable, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright, and Zoghby:

H. J. R. 40. COMMENDING YVONNE KENNEDY UPON HER ELECTION TO THE NATIONAL PRESIDENCY OF DELTA SIGMA THETA SORORITY.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Manley, the Rules were suspended and the Resolution, H. J. R. 40, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Reps. Kvalheim and Ford:

H. J. R. 115. COMMENDING MAX V. MCLAUGHLIN ON HIS DISTINGUISHED MILITARY CAREER.

Also:

By Rep. Blakeney:

H. J. R. 117. CONGRATULATING SWEET WATER HIGH SCHOOL ON THE CLASS 1A STATE BASEBALL CHAMPIONSHIP.

Also:

By Reps. Butler, Grayson, Hettinger, Freeman, Brooks, and Hall:

H. J. R. 119. MOURNING THE DEATH OF GEORGE ERNEST HARRIS OF HUNTSVILLE, ALABAMA.

Also:

By Rep. Butler:

H. J. R. 120. COMMENDING 1988 BOYS STATE GOVERNOR, MICHAEL WARD OF HUNTSVILLE, ALABAMA.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Manley, the Rules were suspended and the Resolutions, H. J. R.'s 115, 117, 119, and 120, set out in the foregoing Message from the House, were concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 29. COMMENDING H. A. ALEXANDER FOR OUTSTANDING SERVICE TO THE CITY OF MOULTON, ALABAMA.

JOHN W. PEMBERTON,
Clerk.

REPORTS OF COMMITTEES

Senator Horn, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator deGraffenried:

S. 99. To provide for the establishment of a fund from which survivor allowances for spouses of deceased district or supernumerary district attorneys shall be paid; to provide requirements for eligibility for receipt of such benefits; to provide funding for the proper operations and maintenance of such fund; and to provide for the management of such fund.

By Senators Rice, Mitchem, Bedford, Denton, Preuitt, Hale, Campbell, Ellis, Goodwin, Bailey, Barron, Smith (B), Foshee, Parsons, Bennett, Manley, Amari, Dixon, and Sanders:

S. 205. To provide for a supplemental appropriation of \$225,000 from the Alabama Special Educational Trust Fund to the State Department of Education for the payment of salaries of locally-funded educational personnel in the Adult Basic Education/Community Education Program for the fiscal year ending September 30, 1989.

Senator Horn, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Rep. Turner (With Amendment):

H. 18. To amend Sections 40-23-2, 40-23-61, 40-23-101 and 40-23-102, Code of Alabama 1975, which levy sales and use taxes on automotive vehicles, truck trailers, semitrailers, and house trailers, so as to increase the levy from 1 1/2% to 2% and amends Sections 40-23-35 and 40-23-108 to distribute the additional funds generated to the state general fund.

Senator Horn, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Hogan:

H. 224. To amend Section 36-1-6.1 of the Code of Alabama 1975, relating to insurance coverage for state employees or agents of the state, so as to provide that such coverage includes individuals serving as foster parents approved by the Department of Human Resources.

By Rep. Kennedy:

H. 139. To authorize the department of human resources to remove certain items of fully depreciated state property which have little or no resale or reuse value to the state from state property inventory by transferring title and ownership of same to purchase of service contractors who will continue to utilize those items in providing needed services to clients of the department of human resources.

By Rep. Harper:

H. 33. To make an appropriation of \$750,000 from the Alabama Special Educational Trust Fund to the Alabama Shakespeare Festival for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

Senator deGraffenried, Chairperson of the Standing Committee on State Development and Tourism, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Senator deGraffenried:

S. 201. To amend Act No. 88-475, H. 747, 1988 Regular Session, which act creates the Alabama Mental Health Finance Authority and provides for mental health projects of the Authority, and financing of such projects; so as to authorize the Authority to enter into any necessary financial instruments or obligations with the Retirement Systems of Alabama in order to secure financing for the funding of projects of the Authority; and to provide that tax proceeds derived from sections 40-2-1 and 40-25-41, Code of Alabama 1975, or any subsequent tobacco tax, shall be primarily pledged for the payment of principal and interest on any said financing agreement.

Senator Figures, Chairperson of the Standing Committee on Local Legislation No. 3, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Reps. Zoghby, Marietta, Buskey (JE), Turner, Kennedy, Gaston, Clark (W), Harper, Kvalheim, and Box (With Notice and Proof):

H. 166. Relating to Mobile County; providing for the establishment of a consolidated and unified system of assessment and collection of taxes under the supervision of an elective county official designated as county revenue commissioner upon the expiration of the current terms of office of tax assessor and tax collector; prescribing the powers, duties, and term of office of said county revenue commissioner, and providing for his election; abolishing the county offices of tax assessor and tax collector in Mobile County; repealing conflicting laws; and providing that this act shall become effective only upon the approval of a majority of the qualified electors of Mobile County voting thereon in a referendum election.

By Reps. Clark (W) and Buskey (JE) (With Notice and Proof):

H. 230. Relating to the City of Prichard in Mobile County; limiting the number of city council members on the water works and sewer board to no more than one.

Senator Covington, Chairperson of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Senator Barron (With Notice and Proof) (With Substitute):

S. 204. Relating to the city of Fort Payne, DeKalb County, Alabama; authorizing such city the rights to establish, purchase, construct, maintain and operate a television cable service for their residents and within its corporate jurisdiction; authorizing the City of Fort Payne to utilize certain eminent domain powers within its jurisdiction with respect to the establishment, purchasing, constructing, maintaining and operation of a television cable service.

Senator Covington, Chairperson of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Manley (With Notice and Proof):

S. 174. To authorize the Choctaw County Board of Health to designate the services rendered by the County Health Department for which a reasonable fee may be charged and to set the appropriate fee for each service. No citizen shall be denied any service because of that person's inability to pay.

By Senator Bedford (With Notice and Proof):

S. 202. Relating to Franklin County; amending Act No. 88-562, S. 667, 1988 Regular Session (Acts 1988, p. 881), levying a county privilege, license

or excise tax on the sale, distribution, storage, use or other consumption of tobacco and certain tobacco products in such county, so as to provide further for the collection and enforcement of the tax; and for the distribution of the proceeds therefrom.

By Rep. Britnell (With Notice and Proof):

H. 85. Relating to Franklin County; to provide for additional expense allowances for members of the board of registrars and to provide for its retroactive effect.

By Reps. Fuller and Laird (With Notice and Proof):

H. 88. Relating to Chambers County, providing further for the compensation of poll workers.

By Reps. Turnham and Higginbotham (With Notice and Proof):

H. 124. To authorize an additional county salary supplement for the District Attorney of the Thirty-Seventh Judicial Circuit; to provide that the provisions of this act shall be effective October 1, 1988.

By Reps. Hill and Knight (With Notice and Proof):

H. 160. Relating to Shelby County; to provide further for the compensation of certain poll officials and poll workers.

By Rep. Hettinger (With Notice and Proof):

H. 176. Relating to the City of Huntsville in Madison County; to authorize the Huntsville Board of Education and the Huntsville City Council to agree to qualify, run for office, and be elected from the same geographical districts, and to allow the said Board and Council to agree to have five or more such districts.

By Rep. Harvey (With Notice and Proof):

H. 215. Relating to Blount County; to provide further for fire districts within the county.

By Rep. Hettinger (With Notice and Proof):

H. 231. Relating to Madison County; to exempt from all county, local or municipal ad valorem taxes all property owned and used by the Huntsville Land Trust, Incorporated.

By Rep. Laird (With Notice and Proof):

H. 278. Relating to Randolph County, repealing Act No. 88-328, H. 857, enacted in the Regular Session of 1988, allowing the Randolph County Health Department to set fees for service.

By Reps. Hettinger, Hall, Grayson, Butler, and Freeman (With Notice and Proof):

H. 284. To authorize the City of Huntsville to acquire and operate passenger excursion trains upon the tracks of any public or private railroad within Madison County based upon agreements for such operation between the city and any such public or private railroad corporation or other entity.

By Rep. Laird (With Notice and Proof):

H. 307. Relating to Randolph County, repealing Act No. 88-328, H. 857, enacted in the Regular Session of 1988, allowing the Randolph County Health Department to set fees for service.

By Rep. Bryant (With Notice and Proof):

H. 309. Relating to Perry County; authorizing the county commission to levy an additional ad valorem tax in said county to be used for general purposes and providing for a referendum.

By Rep. Bryant (With Notice and Proof):

H. 321. Authorizing the probate judge of Perry County to have a chief clerk and two additional clerks to assist the probate judge of Perry County in the performance of his duties and to provide for retroactive effect.

By Rep. Bryant (With Notice and Proof):

H. 322. Authorizing the county commission of Perry County to provide for a chief clerk and not more than two additional clerks to assist the county commission of Perry County in the performance of its duties.

RESOLUTIONS

Senator Smith (J) offered the following Senate Resolutions, to-wit:

S. R. 45. COMMENDING DEASON C. DUNAGAN OF HUNTSVILLE, ALABAMA, FOR DISTINGUISHED SERVICE TO THE MEDICAL PROFESSION.

Also:

S. R. 46. COMMENDING DR. HENRY JOSEPH YOUNES OF BROWNSBORO, ALABAMA.

Which were filed.

BILLS ON THIRD READING RESUMED

THE BILL:

H. 104. Relating to Pickens County; providing an expense allowance for members of the board of registrars retroactive to October 1, 1985, and providing that such expense allowance shall remain in effect either until September 30, 1991 or until the provisions of Act 88-659 of the 1988 Regular Session are implemented, whichever occurs first, at which occurrence the county governing body shall by resolution either terminate or continue such expense allowance.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Campbell	Hale	Manley
Amari	Corbett	Hand	Menton
Bailey	Denton	Hilliard	Preuitt
Barron	Dial	Holmes	Rice
Bedford	Dixon	Horn	Sanders
Bedsole	Foshee	Langford	Smith (B)
Bishop	Goodwin		

—25

Nays:

—0

FIRST EXTRAORDINARY SESSION
7th Day

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THE BILL:

H. 285. To propose an amendment to the Constitution of Alabama of 1901, to authorize the governing body of the City of Anniston in Calhoun County to appropriate public funds to the East Alabama United Cerebral Palsy Center.

was read a third time at length as required by the Constitution and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Campbell	Hale	Parsons
Amari	Denton	Hand	Preuitt
Bailey	Dial	Holmes	Rice
Barron	Dixon	Langford	Sanders
Bennett	Ellis	Manley	Smith (B)
Bishop	Foshee	Menton	Smith (J)
Cabaniss	Goodwin		

—25

Nays: —0

THE BILL:

H. 178. Relating to Etowah County; to authorize the probate judge to set the fee for supplying a copy of an instrument; to place the proceeds from the fees in a special fund and provide for its use.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Campbell	Goodwin	Langford
Amari	Corbett	Hale	Manley
Bailey	Denton	Hand	Menton
Barron	Dial	Hilliard	Parsons
Bennett	Drinkard	Holmes	Preuitt
Bishop	Figures	Horn	Rice
Cabaniss	Foshee		

—25

Nays: —0

THE BILL:

H. 302. Relating to Etowah County, providing further for the expense allowance of the constable and providing for a retroactive effect.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Campbell	Goodwin	Langford
Amari	Corbett	Hale	Manley
Bailey	Denton	Hand	Menton
Barron	Dial	Hilliard	Parsons
Bennett	Drinkard	Holmes	Preuitt
Bishop	Figures	Horn	Rice
Cabaniss	Foshee		

—25

Nays: —0

THE BILL:

H. 170. To authorize the Greene County Board of Health to designate the services rendered by the County Health Department for which a reasonable fee may be charged and to set the appropriate fee for each service. No citizen shall be denied any service because of that person's inability to pay.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Ellis	Langford	
Amari	Cabaniss	Foshee	Manley	
Bailey	Campbell	Goodwin	Menton	
Barron	Corbett	Hale	Parsons	
Bedford	Denton	Hand	Preuitt	
Bedsole	Dial	Horn	Sanders	
Bennett	Dixon			—25

Nays: —0

THE BILL:

H. 264. To authorize the Choctaw County Board of Health to designate the services rendered by the County Health Department for which a reasonable fee may be charged and to set the appropriate fee for each service. No citizen shall be denied any service because of that person's inability to pay.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Ellis	Langford	
Amari	Cabaniss	Foshee	Manley	
Bailey	Campbell	Goodwin	Menton	
Barron	Corbett	Hale	Parsons	
Bedford	Denton	Hand	Preuitt	
Bedsole	Dial	Horn	Sanders	
Bennett	Dixon			—25

Nays: —0

SPECIAL ORDER

The Senate proceeded to consideration of the special, paramount, and continuing order of business for today, the first of which was the Bill:

H. 45. To make a supplemental appropriation to the Alabama Real Estate Commission from the Real Estate Commission Fund for capital outlay for the fiscal year ending September 30, 1988.

And said Bill, H. B. 45, was read a third time at length and passed.

FIRST EXTRAORDINARY SESSION
7th Day

301

Yeas 20; Nays 0.

Yeas:

Senators:	Corbett	Ellis	Manley
Amari	deGraffenried	Goodwin	Parsons
Bedsole	Dial	Hale	Rice
Bennett	Dixon	Hand	Sanders
Cabaniss	Drinkard	Holmes	Smith (J)
Campbell			

—20

Nays:

—0

The President and Presiding Officer declared that, a quorum being present and voting, the Bill is therefore passed.

THE BILL:

H. 159. To amend Section 32-6-61, Code of Alabama 1975, as amended, to provide that the special license tag or license plate fees provided by Section 32-6-150(a) shall not be prorated, but shall be paid on an annual basis.

was taken up.

Senator Rice offered the following substitute for the Bill, H. B. 159, to-wit:

SUBSTITUTE FOR H. B. 159

A BILL
TO BE ENTITLED
AN ACT

To amend Section 32-6-61, Code of Alabama 1975, as amended, to provide that the special license tag or license plate fees provided by Section 32-6-150(a) shall not be prorated, but shall be paid on an annual basis.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 32-6-61, Code of Alabama 1975, is hereby amended to read as follows:

“§32-6-61. Same—Individual's last name determines month; trucks, commercial fleets, etc; expiration date; reregistration of purchased vehicles.

The staggered system for the licensing, registration and taxation of motor vehicles shall be implemented thusly: The first letter of an individual's last name shall determine the month in which a vehicle owner shall register his vehicle(s), as indicated below:

January	. . . A, D
February	. . . B
March	. . . C, E
April	. . . F, G, N
May	. . . H, O
June	. . . M, I
July	. . . P, L
August	. . . J, K, R
September	. . . Q, S, T
October	. . . U, V, W, X, Y, Z, trucks, mobile homes, commercial and fleet vehicles
November	. . . Trucks, mobile homes, commercial and fleet vehicles.

After the conversion period all owners of private passenger vehicles and pickup trucks of 12,000 pounds and under shall continue to register their vehicles during the month assigned to the first initial of their last name. All license plates issued on a staggered registration basis shall expire on the last day of the month which precedes the month assigned for the purchase or renewal of license registration.

All license plates issued to motor vehicles for which licensing, registration and taxation are due in October and November shall expire on September 30.

During the implementation period and thereafter all licensing, registration and ad valorem taxation of motor vehicles shall be prorated on a monthly basis, except that the special license tag or plate fees provided by section 32-6-150(a) shall not be prorated.

All persons who acquire a motor vehicle which is located in this state and required to be registered in this state, with exception of licensed motor vehicle dealers who purchase a vehicle for resale, shall within 10 calendar days from date of purchase reregister the vehicle with the probate judge or other county official authorized and required by law to issue license plates, of the county in which the owner resides, if the owner is an individual, or of the county in which said motor vehicle is used or operated if the owner is a firm, corporation or association. The owner shall be issued a new registration receipt and purchase a license plate or validation decal(s) to the appropriate month assigned for renewal; however, no additional fee or ad valorem tax need be paid other than registration issuance fee when renewal month and year remain the same."

Section 2. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

On motion of Senator Rice, further consideration of the Bill, H. B. 159, and pending substitute, was postponed temporarily.

Senator Rice requested and received permission to suspend the Rules in order to bring up the Bill:

S. 145. To make an appropriation for the support and maintenance of Camp ASCCA, in Jackson Gap, Alabama for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

And said Bill, S. B. 145, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 26; Nays 0.

Yeas:

Senators:	Campbell	Foshee	Manley
Amari	Corbett	Goodwin	Menton
Bailey	deGraffenried	Hale	Preuitt
Bedford	Dial	Hand	Rice
Bedsole	Dixon	Holmes	Sanders
Bennett	Ellis	Horn	Smith (J)
Cabaniss	Figures	Langford	

—26

Nays:

—0

THE BILL:

H. 205. To amend Sections 32-8-6, 32-8-7 and 32-8-87, Code of Alabama 1975, relating to the Uniform Certificate of Title and Theft Act, so as to simplify the motor vehicle title transaction fee schedule; to increase certain commissions and fees for services rendered; and to clarify inspection procedures for obtaining titles for rebuilt vehicles.

was read a third time at length and passed.

Yeas 20; Nays 6.

Yeas:

Senators:	Campbell	Figures	Holmes	
Bailey	Covington	Foshee	Horn	
Barron	deGraffenried	Goodwin	Manley	
Bedsole	Dixon	Hale	Preuitt	
Bennett	Ellis	Hand	Rice	
Cabaniss				—20

Nays:

Senators:	Bedford	Corbett	Sanders	
Amari	Bishop	Parsons		—6

FURTHER CONSIDERATION OF H. B. 159

The Senate proceeded to further consideration of the Bill, H. B. 159. The question was on the substitute offered by Senator Rice.

And said substitute was then adopted.

Yeas 20; Nays 7.

Yeas:

Senators:	Dial	Goodwin	Parsons	
Bedsole	Dixon	Hale	Preuitt	
Cabaniss	Drinkard	Horn	Rice	
Covington	Ellis	Manley	Smith (B)	
deGraffenried	Figures	Menton	Smith (J)	
Denton				—20

Nays:

Senators:	Bailey	Bishop	Holmes	
Amari	Bedford	Corbett	Sanders	—7

And said Bill, H. B. 159, as thus amended by the substitute, was read a third time at length and passed.

Yeas 21; Nays 7.

Yeas:

Senators:	Dial	Hale	Parsons	
Cabaniss	Dixon	Hand	Preuitt	
Campbell	Ellis	Horn	Rice	
Covington	Figures	Manley	Smith (B)	
deGraffenried	Foshee	Menton	Smith (J)	
Denton	Goodwin			—21

Nays:

Senators:	Bailey	Bishop	Holmes	
Amari	Bedford	Corbett	Sanders	—7

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 209. To amend section 32-6-17, Code of Alabama 1975, relating to driver's license fees, so as to increase the reinstatement fee, to make the fee applicable for each action and to require the licensee, upon reinstatement, to obtain a duplicate license with a new photograph and current personal data to ensure that the records of the department of public safety are kept up-to-date.

was read a third time at length and passed.

Yeas 16; Nays 7.

Yeas:

Senators:	Dial	Figures	Hand	
Cabaniss	Dixon	Foshee	Horn	
Campbell	Drinkard	Goodwin	Manley	
deGraffenried	Ellis	Hale	Rice	
Denton				—16

Nays:

Senators:	Bedford	Covington	Menton	
Bailey	Corbett	Holmes	Parsons	—7

THE BILL:

H. 233. To impose an excise tax on illegal possession, distribution, sales, use and other transactions involving certain drugs or controlled substances and to provide for disposition of the proceeds of the tax; and to provide for criminal penalties for violating this act.

was read a third time at length and passed.

Yeas 26; Nays 0.

Yeas:

Senators:	Covington	Goodwin	Menton	
Amari	deGraffenried	Hale	Parsons	
Bailey	Denton	Hand	Rice	
Bedford	Dial	Holmes	Sanders	
Bedsole	Dixon	Horn	Smith (B)	
Cabaniss	Ellis	Langford	Smith (J)	
Corbett	Figures	Manley		—26

Nays: —0

THE BILL:

H. 234. To provide for revisions to the Code of Alabama 1975, dealing with ad valorem taxation, so as to offer equity and equalization in administration of ad valorem taxes, by amending the following code sections

successively: Section 40-7-23, Code of Alabama 1975, as amended, to establish requirements under which a taxpayer may avoid the statutory ten percent penalty normally assessed on escaped tangible personal property ad valorem taxes, for the tax years ending on or before September 30, 1988, and to waive, upon the taxpayer's fulfilling the requirements of Section 40-7-23, the taxpayer's ad valorem tax liability on tangible personal property so assessed for the tax years ending on or before September 30, 1987; Sections 40-7-1, 40-8-1, 40-11-1, 40-12-240, 40-12-255 and 40-12-256, Code of Alabama 1975, to provide for assessment and payment of ad valorem taxes by owners of mobile homes the same as other real property and personal property owners, to identify the class of assessment for travel trailers, to eliminate the requirement for owners of mobile homes to purchase a license tag and pay the \$3.00 registration fee, to provide for the uniform identification and assessment of mobile homes, to authorize the commissioner of revenue to require that certain mobile home and ad valorem tax information be reported by real property owners on forms and through procedures prescribed by the commissioner of revenue, to require any public or private entity that provides or sells any gas or electric services to provide to the county tax assessing official, at least monthly, a list containing each mobile home to which such entity has connected gas or electric service in the county during the preceding period, together with the name of the occupant and the location of the connection, to authorize the commissioner of revenue to promulgate rules and regulations necessary to carry out the provisions of this act and to make certain grammatical and clarifying changes; Sections 40-5-9, 40-10-21, 40-10-75, 40-10-76, 40-10-77, 40-10-83, 40-10-121, 40-10-122, and 40-10-132, Code of Alabama 1975, to increase the interest rate on delinquent ad valorem taxes and on taxes paid upon redemption; and by amending Section 40-7-21, Code of Alabama 1975, establishing the class of misdemeanor for failure or refusal to provide information deemed essential to assessment of property and to authorize proper authority to audit, examine, and inspect records and property, as needed, to enforce the assessment and collection of ad valorem taxes.

was taken up.

On motion of Senator Bedford, further consideration of the Bill, H. B. 234, was postponed temporarily.

THE BILL:

H. 276. To provide for the department of public safety to furnish criminal history record searches of convictions within the state of Alabama whenever allowed by law and to establish a fee for providing the same.

was taken up.

Senator Parsons offered the following amendment to the Bill, H. B. 276, to-wit:

AMENDMENT TO H. B. 276

Amend House Bill No. 276 Page 1 Line 26, by striking out 10.00 and inserting \$20.

Which was adopted.

Yeas 22; Nays 5.

Abstaining 1.

Yeas:

Senators:	Campbell	Drinkard	Horn	
Amari	Corbett	Figures	Langford	
Bailey	Covington	Foshee	Menton	
Barron	deGraffenried	Goodwin	Parsons	
Bennett	Denton	Hand	Smith (B)	
Cabaniss	Dixon	Holmes		—22

Nays:

Senators:	Hale	Rice	Smith (J)	
Dial	Preuitt			—5

Abstaining: Senator Hilliard —1

And said Bill, H. B. 276, as thus amended, was read a third time at length and passed.

Yeas 24; Nays 5.

Yeas:

Senators:	Campbell	Figures	Horn	
Amari	Covington	Foshee	Langford	
Barron	deGraffenried	Goodwin	Menton	
Bedford	Denton	Hand	Parsons	
Bedsole	Dixon	Hilliard	Rice	
Bennett	Drinkard	Holmes	Smith (B)	
Cabaniss				—24

Nays:

Senators:	Corbett	Hale	Preuitt	
Bailey	Dial			—5

THE BILL:

H. 47. To amend sections 27-4-4 and 27-4-5, Code of Alabama 1975, so as to delete provisions allowing insurance companies to deduct examination expenses from premium taxes.

was taken up.

On motion of Senator Horn, further consideration of the Bill, H. B. 47, was postponed temporarily.

THE BILL:

S. 64. To provide a salary increase for certain state employees and to appropriate funds therefor for the fiscal year ending September 30, 1989.

was taken up.

Senator Cabaniss offered the following amendment to the Bill, S. B. 64, to-wit:

AMENDMENT TO S. B. 64

Amend S. B. 64 as follows:

On page 1, line 31, delete the figure "7 1/2%" and insert in lieu thereof:
5%

On page 1, line 31, after the word "increase" and insert the following language:

and an additional 2 1/2% salary increase contingent upon the condition of the general fund, as ascertained by the Governor, and said additional 2 1/2% salary increase shall be paid only upon orders of the Governor

On motion of Senator Smith (J), said amendment was laid on the table.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 1. To propose a self-executing amendment to the Constitution of Alabama of 1901, relative to the compensation of the judge of probate of Autauga County.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 181. Relating to Coosa County, providing for an advisory referendum regarding Coosa County Commission members' compensation and the Coosa County Commission chairman's right to vote.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 163. Relating to employment security programs of the Department of Industrial Relations so as to provide for an assessment of 0.06% against wages paid by certain employers for a three-year period beginning January 1, 1989 and ending December 31, 1991; to provide for the collection, appropriation and disbursement of such assessment, and to provide for the establishment of the "Employment Security Administration Enhancement Fund" in the state treasury; to amend Sections 25-4-31, 25-4-54 and 25-4-143, Code of Alabama 1975, as amended, all relating to the Unemployment Compensation Trust Fund, so as to provide for a reduction of 0.06% in the rates of unemployment compensation contributions of certain employers effective for calendar years beginning on January 1, 1989 and ending on December 31, 1991, to provide for the appropriation of this and other revenue and for the transfer from the clearing account certain moneys into certain separate special funds in the state treasury.

Also:

H. 188. To amend sections 25-4-72, 25-4-73, 25-4-76 and 25-4-77, Code of Alabama 1975, relating to the Unemployment Compensation Act effective for weeks within benefit years beginning on and after January 1, 1989, so as to increase maximum weekly unemployment benefits to \$145, compute such weekly benefits on the average of the covered wages paid to an individual during the two quarters of his base period in which such wages were highest.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 285. To propose an amendment to the Constitution of Alabama of 1901, to authorize the governing body of the City of Anniston in Calhoun County to appropriate public funds to the East Alabama United Cerebral Palsy Center.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills and House Joint Resolutions, your signature thereto is requested.

H. 104. Relating to Pickens County; providing an expense allowance for members of the board of registrars retroactive to October 1, 1985, and providing that such expense allowance shall remain in effect either until September 30, 1991 or until the provisions of Act 88-659 of the 1988 Regular Session are implemented, whichever occurs first, at which occurrence the county governing body shall by resolution either terminate or continue such expense allowance.

Also:

H. 170. To authorize the Greene County Board of Health to designate the services rendered by the County Health Department for which a reasonable fee may be charged and to set the appropriate fee for each service. No citizen shall be denied any service because of that person's inability to pay.

Also:

H. 178. Relating to Etowah County; to authorize the probate judge to set the fee for supplying a copy of an instrument; to place the proceeds from the fees in a special fund and provide for its use.

Also:

H. 264. To authorize the Choctaw County Board of Health to designate the services rendered by the County Health Department for which a reasonable fee may be charged and to set the appropriate fee for each service. No citizen shall be denied any service because of that person's inability to pay.

Also:

H. 302. Relating to Etowah County, providing further for the expense allowance of the constable and providing for a retroactive effect.

Also:

H. J. R. 4. CONGRATULATING MR. AND MRS. THEODORE S. OWENS ON THE OCCASION OF THEIR 50TH WEDDING ANNIVERSARY.

Also:

H. J. R. 5. COMMENDING MARTHA KIRKLAND OF BREWTON, ALABAMA, UPON HER RETIREMENT AS JUDGE OF PROBATE OF ESCAMBIA COUNTY.

Also:

H. J. R. 7. COMMENDING JOHN D. LAMMERS FOR DISTINGUISHED SERVICE TO BOY SCOUTS OF AMERICA.

Also:

H. J. R. 124. COMMENDING JEREMY LOWERY OF MARGARET, ALABAMA.

Also:

H. J. R. 126. COMMENDING A. F. WHITMAN UPON HIS RETIREMENT FROM THE SYLACAUGA CHAMBER OF COMMERCE.

Also:

H. J. R. 127. CREATING A JOINT INTERIM LEGISLATIVE COMMITTEE ON EMERGENCY MEDICAL SERVICES.

Also:

H. J. R. 130. COMMENDING MAJOR GENERAL GARY COOPER OF MOBILE, ALABAMA.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS AND RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills and House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Joint Resolutions with the original Senate Joint Resolutions, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 29. COMMENDING H. A. ALEXANDER FOR OUTSTANDING SERVICE TO THE CITY OF MOULTON, ALABAMA.

Also:

S. J. R. 38. MOURNING THE DEATH OF FRED L. SANDERSON OF MOBILE, ALABAMA.

Also:

S. J. R. 39. COMMENDING ASSISTANT POLICE CHIEF LEWIS FINN FOR OUTSTANDING SERVICE TO THE CHILDERSBURG COMMUNITY.

Also:

S. J. R. 40. COMMENDING IRA FINN FOR DISTINGUISHED SERVICE TO THE POLICE DEPARTMENT OF CHILDERSBURG, ALABAMA, AND TO THE COMMUNITY.

BILL DRINKARD,
Chairperson.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of

a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolutions, the titles of which are set out in the foregoing report from the Committee on Rules.

FURTHER CONSIDERATION OF S. B. 64

The Senate proceeded to further consideration of the Bill, S. B. 64.

Senator Dial offered the following substitute for the Bill, S. B. 64, to-wit:

SUBSTITUTE FOR S. B. 64

A BILL TO BE ENTITLED AN ACT

To provide a salary increase for certain state employees and to appropriate funds therefor for the fiscal year ending September 30, 1989.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Beginning on October 1, 1988, all state employees who are listed in the classified and unclassified service of the state as defined in Section 36-26-10, Code of Alabama 1975, and all other state employees and all hourly employees of the state, except those set out in Section 2 herein, and all legislative personnel, officers and employees, including but not limited to Legislative Reference Service personnel, whether subject to the state merit system or not, and all circuit clerks and registers and state judges, except as provided in Section 2 herein, and all employees of the county health departments who are employed subject to the state merit system and whose compensation is paid out of a budget provided and agreed upon by the state, county, or other contributing agency under the direction of the state board of health shall receive a \$1500 salary increase. Any cost-of-living increase granted under the provisions of this Act shall in no way apply to any local supplement provided to any judges or any other employee of this state. The provisions of this bill shall not apply to any local employee whose salary is tied to that of any state employee. All such increases shall be in addition to the salary received by such employees. It is the intention of the legislature that the Governor is hereby authorized to transfer such amounts to, from, and between such departments, boards, bureaus, commissions, agencies, offices, and institutions under his direct control for the purposes of paying the salary increase for state employees and officials.

Section 2. The provisions of this Act shall not apply to any merit system employee or hourly employee whose service or rates of pay are covered by any labor agreement or contract, nor shall this Act apply to state judges whose salaries are payable from the state treasury if such judges' salaries are increased under and by virtue of: (1) The recommendations contained in the Report of the Judicial Compensation Commission to the 1988 Regular Session of the legislature becoming law; or (2) the enactment into law of legislation altering and amending said report; or (3) any other legislation enacted into law during the 1988 Regular or Special sessions of the legislature.

Section 3. The director of the state personnel department shall revise the schedule or rates set forth in the pay plan for state employees and shall certify the same to the state comptroller, who shall issue warrants in accordance therewith. With respect to court officials and employees within the

Unified Judicial System who serve the trial and appellate courts of the state and the Administrative Office of Court, the Administrative Director of Courts shall revise the schedule of rates set forth in the pay plan for such court officials and employees to reflect the increase provided herein, and shall certify the same to the state comptroller, who shall issue warrants in accordance therewith. With respect to legislative employees, the secretary of the senate for senate employees, the clerk of the house of representatives for house employees, the director of the Legislative Reference Service for Legislative Reference Service employees, and the director of the Legislative Fiscal Office for Legislative Fiscal Office employees shall revise the schedule or rates set forth in the pay plan for such legislative employees to reflect the increase provided herein, and shall certify the same to the state comptroller, who shall issue warrants in accordance therewith.

Section 4. Such amounts as may be necessary to pay state employees the increased salaries provided herein are hereby appropriated for the fiscal year beginning October 1, 1988, from such funds as the salaries of the several state employees are paid.

Section 5. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 7. This Act shall become effective on September 10, 1988, with the first payment on October 7, 1988 for all state officials and employees covered by this Act who are paid bi-weekly, and effective on October 1, 1988, for all state officials and employees covered by this Act whose salaries are set annually and who are paid semi-monthly, and upon approval by the Governor, or upon its otherwise becoming a law.

Which was lost.

Yeas 8; Nays 20.

Yeas:

Senators:	Dial	Manley	Rice
Barron	Hilliard	Preuitt	Smith (B)
Bedsole			

—8

Nays:

Senators:	Corbett	Ellis	Hand
Bedford	Covington	Figures	Langford
Bennett	deGraffenried	Foshee	Menton
Bishop	Dixon	Goodwin	Parsons
Cabaniss	Drinkard	Hale	Smith (J)
Campbell			

—20

Senator Bishop offered the following amendment to the Bill, S. B. 64, to-wit:

AMENDMENT TO S. B. 64

Amend Senate Bill 64 on page 1, line 31 by striking the figure "7.51.;" and by inserting in lieu thereof:

"8.0%,"

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Senator Smith (J) moved that said amendment be laid on the table, which motion was lost.

Yeas 6; Nays 20.

Yeas:

Senators:	Bennett	Drinkard	Smith (J)	
Bailey	Cabaniss	Hand		—6

Nays:

Senators:	Corbett	Figures	Langford	
Amari	Covington	Foshee	Menton	
Bedford	deGraffenried	Goodwin	Preuitt	
Bedsole	Dixon	Hale	Rice	
Bishop	Ellis	Horn	Smith (B)	
Campbell				—20

And said amendment was then adopted.

Yeas 25; Nays 5.

Yeas:

Senators:	Campbell	Figures	Langford	
Amari	Corbett	Foshee	Manley	
Bailey	Covington	Goodwin	Menton	
Bedford	deGraffenried	Hale	Preuitt	
Bedsole	Dixon	Hilliard	Rice	
Bennett	Drinkard	Horn	Smith (B)	
Bishop	Ellis			—25

Nays:

Senators:	Cabaniss	Hand	Smith (J)	
Barron	Dial			—5

And said Bill, S. B. 64, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 30; Nays 2.

Yeas:

Senators:	Campbell	Figures	Langford	
Amari	Corbett	Foshee	Manley	
Bailey	Covington	Goodwin	Menton	
Barron	deGraffenried	Hale	Preuitt	
Bedford	Denton	Hand	Rice	
Bedsole	Dixon	Hilliard	Smith (B)	
Bennett	Drinkard	Holmes	Smith (J)	
Bishop	Ellis	Horn		—30

Nays:

Senators:	Cabaniss	Dial		—2
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INTRODUCTION OF BILLS

Upon the call of districts, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Senator Hilliard (With Notice and Proof):

S. 208. To further regulate the sale of alcoholic or spirituous or vinous liquors, brewed or malt beverages and beer in any Class 1 municipality; to

provide that certain validly licensed manufacturers brewing malt or malt liquors may sell to consumers and others for consumption on the premises or off the premises, as the case may be; to provide that a validly licensed restaurant retail licensee may also be licensed as a manufacturer of said malt brewed or malt liquors; to provide that certain manufacturers may also be wholesalers to sell said brewed or malt liquors, regardless of origination, to duly licensed persons or vendors; and to repeal any local, general or special law conflicting with the provisions of this act.

Committee on Local Legislation No. 2.

I hereby certify that the notice and proof is attached to the Bill, S. B. 208, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,
Secretary.

By Senator Hilliard (With Notice and Proof):

S. 209. Relating to Jefferson County; to amend Article VI of Act No. 1272, H. 620, 1973 Regular Session (Acts 1973, p. 2124), relating to the extraordinary disability benefits of the City of Birmingham Retirement and Relief System, so as to provide that extraordinary disability benefits shall not be paid to any participant who joins the system on or after January 1, 1989, during any period that a disabled participant is able to perform other duties in his job classification or the customary duties of another job with that participant's employer, which duties or job has been offered to participant and which job pays a salary or wage equal to or greater than the salary or wage such participant was earning at the time of the incident causing the disability, and to provide that, for injuries occurring after January 1, 1989, the Board of Managers may waive the one-year limitation and grant an application for extraordinary disability allowance if granted within thirty-six months after the incident resulting in such disability.

Committee on Local Legislation No. 2.

I hereby certify that the notice and proof is attached to the Bill, S. B. 209, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,
Secretary.

By Senators Langford and Ellis:

S. 210. To amend Sections 36-27A-1 and 36-27A-5, Code of Alabama 1975, so as to allow public officials or employees of the State of Alabama, or any political subdivision thereof, to participate in the Public Employees' Individual Retirement Account Fund and to provide for additional nondeductible contributions.

Committee on Governmental Affairs.

REPORT FROM RULES

Senator Drinkard, Chairperson of the Standing Committee on Rules, reported that said committee, in session, had acted on the following House Joint Resolutions and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 53. COMMENDING DAN S. MALONE OF GADSDEN, ALABAMA.

Also:

H. J. R. 52. COMMENDING MRS. MAE BELLE YANCEY FOR DISTINGUISHED SERVICE TO ETOWAH COUNTY'S DUCK SPRINGS ELEMENTARY SCHOOL.

Also:

H. J. R. 91. DESIGNATING OCTOBER 12, 1988, AS "JACK LANG APPRECIATION DAY" IN THE CITY OF GADSDEN.

On motion of Senator Drinkard, said Resolutions were concurred in and adopted by the Senate.

Senator Drinkard, Chairperson of the Standing Committee on Rules, then reported that said committee, in session, had acted on the following Senate Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

S. J. R. 32. URGING THE NCAA TO ADOPT A RULE MANDATING THAT ITS MAJOR COLLEGE AND UNIVERSITY MEMBERS SHALL DENY ADMISSION AFTER 1992 TO THOSE ATHLETES WHO CANNOT SATISFY ITS ACADEMIC ADMISSION STANDARDS AND FURTHER URGING THE PRESIDENTS OF THE MEMBER UNIVERSITIES OF THE SOUTHEASTERN CONFERENCE TO WITHHOLD IMPLEMENTATION OF THEIR RECENT DECISION THAT WOULD DENY SUCH ATHLETES ADMISSION TO THEIR UNIVERSITIES AFTER 1992 UNTIL SUCH TIME AS THE NCAA REQUIRES ALL OF ITS MAJOR COLLEGE AND UNIVERSITY MEMBERS TO USE THE SAME ACADEMIC ADMISSION STANDARDS FOR ATHLETES.

On motion of Senator Drinkard, said Resolution was adopted by the Senate.

RESOLUTIONS

Senator Parsons offered the following Senate Resolution, to-wit:

S. R. 47. COMMENDING WILLIAM J. MCDANIEL OF BIRMINGHAM, ALABAMA, FOR DISTINGUISHED PROFESSIONAL ACHIEVEMENT AND SERVICE.

Which was filed.

Senator Amari offered the following Senate Resolution, to-wit:

S. R. 48. EXTENDING HAPPY BIRTHDAY WISHES TO V. O. ROBERTS OF BIRMINGHAM, ALABAMA.

Which was filed.

BILLS ON THIRD READING RESUMED

THE BILL:

S. 21. To provide further a salary increase for certain state employees and to appropriate funds therefor for the fiscal year ending September 30, 1989.

was taken up.

Senator Hand offered the following amendment to the Bill, S. B. 21, to-wit:

AMENDMENT TO S. B. 21

Amend S. B. 21 on page 1 line 28 by striking the words "and all circuit clerks and registers and circuit judges"

Amend on p. 2 line 15 by inserting a "." after the word "treasury" and striking on line 15 "if such judges' salaries are"

Amend on p. 2 by deleting lines 16-21 in their entirety.

Amend on p. 2 line 31 after the word "employees" by inserting the following "except circuit clerks, registers, and all state judges"

On motion of Senator Bedford, said amendment was laid on the table.

Yeas 21; Nays 4.

Yeas:

Senators:	Bishop	Dixon	Hale	
Amari	Campbell	Drinkard	Langford	
Bailey	Corbett	Ellis	Menton	
Barron	Covington	Figures	Preuitt	
Bedford	deGraffenried	Goodwin	Smith (J)	
Bennett	Denton			—21

Nays:

Senators:	Foshee	Hand	Smith (B)	
Cabaniss				—4

And said Bill, S. B. 21, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 31; Nays 1.

Yeas:

Senators:	Campbell	Ellis	Horn	
Amari	Corbett	Figures	Langford	
Bailey	Covington	Foshee	Menton	
Barron	deGraffenried	Goodwin	Parsons	
Bedford	Denton	Hale	Preuitt	
Bedsale	Dial	Hand	Rice	
Bennett	Dixon	Hilliard	Smith (B)	
Bishop	Drinkard	Holmes	Smith (J)	—31

Nay: Senator Cabaniss —1

Senator Bedford moved that the Senate reconsider the vote by which the Bill, S. B. 21, was passed, and further moved that the motion to reconsider be laid on the table. The motion to table prevailed.

RESOLUTION

Senator Rice offered the following Senate Joint Resolution, to-wit:

S. J. R. 49. NAMING THE ACT WHICH HOUSE BILL 233 BECOMES "THE STEVE HETTINGER DRUG ENFORCEMENT ACT".

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Act which House Bill 233 becomes be designated as "The Steve Hettinger Drug Enforcement Act."

On motion of Senator Rice, the Rules were suspended and the Resolution was adopted by the Senate.

BILLS ON THIRD READING RESUMED

THE BILL:

H. 23. To amend section 32-6-15, Code of Alabama 1975, relating to fees for duplicate drivers' licenses, so as to increase the fee for a duplicate of lost or destroyed licenses.

having been postponed subject to the call of the Chair on the Sixth Legislative Day, was again taken up.

And said Bill, H. B. 23, was read a third time at length and passed.

Yeas 21; Nays 7.

Yeas:

Senators:	deGraffenried	Goodwin	Langford
Amari	Denton	Hale	Manley
Bedsole	Dial	Hand	Menton
Bennett	Dixon	Hilliard	Preuitt
Cabaniss	Drinkard	Horn	Smith (B)
Campbell	Figures		

—21

Nays:

Senators:	Bedford	Corbett	Holmes
Bailey	Bishop	Covington	Parsons

—7

THE BILL:

S. 117. To amend §37-1-11 of the Code of Alabama 1975, to further provide for the salaries of the president and associate commissioners of the Alabama Public Service Commission.

was taken up.

Senator Covington moved that further consideration of the Bill, S. B. 117, be postponed subject to the call of the Chair.

Senator Corbett offered a substitute motion that further consideration be postponed temporarily.

On motion of Senator Covington, said motion was laid on the table.

The question recurred on the motion of Senator Covington, which was adopted, and further consideration of the Bill, S. B. 117, was postponed subject to the call of the Chair.

THE BILL:

H. 111. To amend section 32-6-8, Code of Alabama 1975, relating to learning permits for drivers' licenses, so as to provide for a four-year learner's license and increase the fees accordingly.

having been postponed subject to the call of the Chair on the Sixth Legislative Day, was again taken up.

And said Bill, H. B. 111, was read a third time at length and passed.

Yeas 20; Nays 11.

Yeas:

Senators:	Dixon	Goodwin	Manley	
Bedsole	Drinkard	Hale	Menton	
Bennett	Ellis	Hand	Preuitt	
Cabaniss	Figures	Hilliard	Rice	
deGraffenried	Foshee	Horn	Smith (B)	
Denton				—20

Nays:

Senators:	Bedford	Covington	Langford	
Amari	Bishop	Dial	Parsons	
Bailey	Corbett	Holmes	Smith (J)	—11

THE BILL:

H. 142. To amend section 32-7-4, Code of Alabama 1975, relating to fees for abstracts of driving records, so as to increase the fee for an abstract of a driving record from \$4.00 to \$5.50.

having been postponed subject to the call of the Chair on the Sixth Legislative Day, was again taken up.

Senator Parsons offered the following amendment to the Bill, H. B. 142, to-wit:

AMENDMENT TO H. B. 142

Amend House Bill No. 142 Page 1 Line 33, by deleting the figure “\$5.50” and inserting the figure “\$6.50”

Which was adopted.

Yeas 15; Nays 8.

Yeas:

Senators:	Covington	Goodwin	Manley	
Bennett	deGraffenried	Hilliard	Menton	
Campbell	Denton	Horn	Parsons	
Corbett	Foshee	Langford	Rice	—15

Nays:

Senators:	Cabaniss	Dixon	Holmes	
Bedford	Dial	Hale	Smith (J)	
Bedsole				—8

And said Bill, H. B. 142, as thus amended, was read a third time at length and passed.

Yeas 23; Nays 5.

Yeas:

Senators:	deGraffenried	Goodwin	Manley	
Bedsole	Denton	Hale	Menton	
Bennett	Dixon	Hand	Parsons	
Cabaniss	Drinkard	Hilliard	Preuitt	
Campbell	Figures	Horn	Rice	
Covington	Foshee	Langford	Smith (B)	—23

Nays:

Senators:	Bedford	Holmes	Smith (J)	
Bailey	Corbett			—5

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following engrossed Senate Bill with the original Senate Bill, and finds same correctly engrossed, to-wit:

S. 64. To provide a salary increase for certain state employees and to appropriate funds therefor for the fiscal year ending September 30, 1989.

BILL DRINKARD,
Chairperson.

MESSAGE FROM THE HOUSE

Mr. President Pro Tem:

The Speaker of the House having signed the following House Bills and House Joint Resolutions, your signature thereto is requested.

H. 45. To make a supplemental appropriation to the Alabama Real Estate Commission from the Real Estate Commission Fund for capital outlay for the fiscal year ending September 30, 1988.

Also:

H. 205. To amend Sections 32-8-6, 32-8-7 and 32-8-87, Code of Alabama 1975, relating to the Uniform Certificate of Title and Theft Act, so as to simplify the motor vehicle title transaction fee schedule; to increase certain commissions and fees for services rendered; and to clarify inspection procedures for obtaining titles for rebuilt vehicles.

Also:

H. 209. To amend section 32-6-17, Code of Alabama 1975, relating to driver's license fees, so as to increase the reinstatement fee, to make the fee applicable for each action and to require the licensee, upon reinstatement, to obtain a duplicate license with a new photograph and current personal data to ensure that the records of the department of public safety are kept up-to-date.

Also:

H. J. R. 8. COMMENDING THE PILOT CLUB OF NORTHPORT ON ITS "SUCCESS THROUGH SERVICE" AND CONTRIBUTIONS TO THE NORTHPORT COMMUNITY.

Also:

H. J. R. 9. CONGRATULATING THE PICKENS ACADEMY PIRATES ON THEIR OUTSTANDING 1988 BASEBALL SEASON AND FIRST PLACE RANKING IN APSA COMPETITION.

Also:

H. J. R. 20. COMMENDING THE SCOTTSBORO CITY SCHOOLS AND STAFF ON THE ESTABLISHMENT AND OPERATION OF AN EXEMPLARY INDIAN EDUCATION PROGRAM.

Also:

H. J. R. 24. COMMENDING THE PELL CITY BRONCO ALL-STARS ON THEIR OUTSTANDING SEASON.

Also:

H. J. R. 25. COMMENDING JOYCE CLARK FOR OUTSTANDING VOLUNTEER SERVICE TO THE PELL CITY COMMUNITY.

Also:

H. J. R. 26. COMMENDING JOYCE G. NIX FOR DISTINGUISHED SERVICE TO THE GREATER PELL CITY CHAMBER OF COMMERCE AND THE COMMUNITY.

Also:

H. J. R. 27. CONGRATULATING MR. AND MRS. JOHN C. BELL ON THE OCCASION OF THEIR 50TH WEDDING ANNIVERSARY.

Also:

H. J. R. 29. CONGRATULATING THOMASVILLE HIGH SCHOOL ON THE CLASS 4A STATE BASEBALL CHAMPIONSHIP.

Also:

H. J. R. 40. COMMENDING YVONNE KENNEDY UPON HER ELECTION TO THE NATIONAL PRESIDENCY OF DELTA SIGMA THETA SORORITY.

Also:

H. J. R. 43. NAMING A PORTION OF STATE HIGHWAY 17 IN SUMTER COUNTY, ALABAMA, IN HONOR OF DR. MARTIN LUTHER KING, JR.

Also:

H. J. R. 74. COMMENDING W. F. (NOOPIE) COSBY, JR., OF SELMA, ALABAMA, LEGISLATIVE CONSERVATIONIST OF THE YEAR.

Also:

H. J. R. 75. COMMENDING W. F. (NOOPIE) COSBY, JR., RECIPIENT OF THE ALABAMA TRAVEL COUNCIL'S AWARD OF EXCELLENCE.

Also:

H. J. R. 110. COMMENDING LOUISE PITTMAN FOR OUTSTANDING SERVICE TO THE STATE OF ALABAMA.

Also:

H. J. R. 113. CONGRATULATING THE UMS PREPARATORY SCHOOL BASEBALL TEAM AS OUR 1988 STATE 3A CHAMPIONS.

Also:

H. J. R. 115. COMMENDING MAX V. MCLAUGHLIN ON HIS DISTINGUISHED MILITARY CAREER.

Also:

H. J. R. 117. CONGRATULATING SWEET WATER HIGH SCHOOL ON THE CLASS 1A STATE BASEBALL CHAMPIONSHIP.

Also:

H. J. R. 119. MOURNING THE DEATH OF GEORGE ERNEST HARRIS OF HUNTSVILLE, ALABAMA.

Also:

H. J. R. 120. COMMENDING 1988 BOYS STATE GOVERNOR, MICHAEL WARD OF HUNTSVILLE, ALABAMA.

Also:

H. J. R. 128. RELATIVE TO MEETING DAYS.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS AND RESOLUTIONS

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills and House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President Pro Tem:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 233. To impose an excise tax on illegal possession, distribution, sales, use and other transactions involving certain drugs or controlled sub-

stances and to provide for disposition of the proceeds of the tax; and to provide for criminal penalties for violating this act.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President Pro Tem:

The Speaker of the House having signed the following House Bills and House Joint Resolutions, your signature thereto is requested.

H. 23. To amend section 32-6-15, Code of Alabama 1975, relating to fees for duplicate drivers' licenses, so as to increase the fee for a duplicate of lost or destroyed licenses.

Also:

H. 111. To amend section 32-6-8, Code of Alabama 1975, relating to learning permits for drivers' licenses, so as to provide for a four-year learner's license and increase the fees accordingly.

Also:

H. J. R. 52. COMMENDING MRS. MAE BELLE YANCEY FOR DISTINGUISHED SERVICE TO ETOWAH COUNTY'S DUCK SPRINGS ELEMENTARY SCHOOL.

Also:

H. J. R. 53. COMMENDING DAN S. MALONE OF GADSDEN, ALABAMA.

Also:

H. J. R. 91. DESIGNATING OCTOBER 12, 1988, AS "JACK LANG APPRECIATION DAY" IN THE CITY OF GADSDEN.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS AND RESOLUTIONS

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills and House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Box:

H. 279. To amend Sections 10-2A-114, 10-2A-116, 10-2A-180, 10-2A-183, 10-2A-191, 10-2A-260, 10-2A-261, 10-2A-281 and 10-2A-282, Code of Alabama, 1975, so as to create the Secretary of State Corporations Fund, to provide for fees relating to corporations, to provide that the Secretary of State be provided copies of certain corporations filings, and to provide an appropriation from the Secretary of State Corporation Fund for the fiscal year 1988-89.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 279—to the Committee on Banking and Insurance

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Rep. Johnson (RG):

H. 319. To provide for the levy of a six percent (6%) sales tax surcharge on the sale of certain spirituous or fermented alcoholic beverages, excluding beer or other malt beverages and wines, which are sold for on-premises consumption, to be paid on a per drink basis by all clubs, bars, or other establishments which serve the aforementioned beverages; that the provisions of this act shall be administered by the department of revenue; that the commissioner of revenue shall have the authority to promulgate necessary rules and regulations for the administration and enforcement of the provisions of this act; that revenues generated by said tax shall be placed in the state's general fund.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 319—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Rep. Harper:

H. 46. To levelize the taxes on all tobacco products; to amend Sections 40-25-2 and 40-25-4, Code of Alabama 1975, so as to levy an additional privilege and license tax on the sale, storage, use, consumption or delivering of cigarettes within this state; to amend Section 40-25-23, Code of Alabama 1975, to provide for the disposition of the additional tobacco tax proceeds; to correct the identification of the Department of Mental Health and Mental Retardation, and provide for distribution for servicing bonds issued under the authority of Amendment 266 to the Constitution of Alabama; to provide for a single stamp system and protective distribution to replace local levies which are to be terminated or repealed; to provide for a credit system for stamp inventories in the possession of distributors at the date of implementation and to provide that the revenues generated will be distributed in part to the cities and certain counties, to the Alabama Forestry Commission, and the remainder to the General Fund of the State of Alabama.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 46—to the Committee on Finance and Taxation

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 52. To amend Sections 9-11-44 and 9-11-53, Code of Alabama 1975, relating to annual resident hunting and fishing licenses, respectively, so as to increase the license fees, to further provide for a hunting license exemption for certain residents, to delete a provision for a county fishing license, to increase the fishing license issuance fee, to further provide for an exemption relating to certain fishing by certain county residents, to provide for an exemption for certain persons fishing pursuant to Act No. 88-578, to increase the penalties in Section 9-11-44, and to authorize the issuance of licenses on a combination basis.

having been postponed subject to the call of the Chair on the Sixth Legislative day, was again taken up.

Senator Bailey offered the following amendment to the Bill, H. B. 52, to-wit:

AMENDMENT TO H. B. 52

Amend H. 52 as follows:

On page 5 line 36, after the period, insert the following language:

The Department of Conservation and Natural Resources is hereby directed to enter into reciprocal agreements with other states to exempt residents of

this state over 65 years of age from the requirement of procuring a license in that state by exempting residents of other states over 65 years of age from the requirement of procuring a license in this state.

Senator Barron offered the following amendment to the Bailey amendment to the Bill, H. B. 52, to-wit:

AMENDMENT TO BAILEY AMENDMENT TO H. B. 52

Amend H. 52 as follows:

On page 5, line 36, after the period, insert the following language:

The Department of Conservation and Natural Resources is hereby directed to enter into reciprocal agreements with Florida to exempt residents of this state over 65 years of age from the requirement of procuring a license in that state by exempting residents of other states over 65 years of age from the requirement of procuring a license in this state.

Senator Bailey moved that said amendment be laid on the table, which motion was lost.

Yeas 12; Nays 13.

Yeas:

Senators:	Campbell	Figures	Horn	
Amari	Corbett	Goodwin	Langford	
Bailey	Covington	Hilliard	Parsons	
Bedford				—12

Nays:

Senators:	deGraffenried	Drinkard	Preuitt	
Barron	Denton	Hale	Rice	
Bedsole	Dial	Hand	Smith (B)	
Cabaniss	Dixon			—13

And said Barron amendment to the Bailey amendment was then adopted.

Yeas 27; Nays 0.

Yeas:

Senators:	Corbett	Ellis	Horn	
Bailey	Covington	Figures	Manley	
Barron	deGraffenried	Goodwin	Parsons	
Bedford	Denton	Hale	Preuitt	
Bedsole	Dial	Hand	Rice	
Cabaniss	Dixon	Hilliard	Smith (B)	
Campbell	Drinkard	Holmes	Smith (J)	—27

Nays: —0

And said Bailey amendment, as thus amended by the Barron amendment, was then adopted.

Yeas 23; Nays 0.

Yeas:

Senators:	Campbell	Drinkard	Holmes	
Amari	Covington	Ellis	Horn	
Bailey	deGraffenried	Foshee	Manley	
Bedford	Denton	Goodwin	Preuitt	
Bedsole	Dial	Hand	Rice	
Cabaniss	Dixon	Hilliard	Smith (J)	—23

Nays: —0

Senator Bedford offered the following amendment to the Bill, H. B. 52, as amended, to-wit:

AMENDMENT TO H. B. 52, AS AMENDED

Amend House Bill No. 52 Page 4 Line 5, by striking out the following after the word "hunting," to strike out "a driver's license" and insert the following

"proof of age" and renumber the following lines

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Senators:	Corbett	Figures	Holmes	
Amari	deGraffenried	Foshee	Horn	
Bailey	Denton	Goodwin	Manley	
Barron	Dial	Hale	Preuitt	
Bedford	Drinkard	Hand	Rice	
Bedsole	Ellis	Hilliard	Smith (B)	
Cabaniss				—24

Nays: —0

Senator Bailey offered the following amendment No. 2 to the Bill, H. B. 52, as amended, to-wit:

BAILEY AMENDMENT NO. 2 TO H. B. 52, AS AMENDED

Amend H. 52 as follows:

On page 5, line 36, after the period, insert the following language:

The Department of Conservation and Natural Resources is hereby directed to enter into a reciprocal agreement with the State of Florida to exempt residents of Alabama over 65 years of age from the requirement of procuring a license in Florida by exempting residents of Florida over 65 years of age from the requirement of procuring a license in Alabama.

Which was adopted.

FIRST EXTRAORDINARY SESSION
7th Day

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Yeas 23; Nays 0.

Yeas:

Senators:	Campbell	Drinkard	Hilliard	
Bailey	Corbett	Ellis	Holmes	
Barron	Covington	Foshee	Horn	
Bedford	deGraffenried	Goodwin	Parsons	
Bedsole	Denton	Hale	Preuitt	
Cabaniss	Dixon	Hand	Smith (J)	—23

Nays: —0

And said Bill, H. B. 52, as thus amended, was read a third time at length and passed.

Yeas 21; Nays 7.

Yeas:

Senators:	Denton	Hand	Manley	
Amari	Dixon	Hilliard	Parsons	
Barron	Drinkard	Holmes	Preuitt	
Bedsole	Figures	Horn	Rice	
Cabaniss	Goodwin	Langford	Smith (J)	
Campbell	Hale			—21

Nays:

Senators:	Bedford	Corbett	deGraffenried	
Bailey	Bishop	Covington	Foshee	—7

MOTION TO ADJOURN

At 5:10 P.M., Senator Manley moved that the Senate adjourn until Tuesday, September 13, 1988, at 1 o'clock P.M., which motion was lost.

Yeas 9; Nays 19.

Yeas:

Senators:	Dial	Hale	Manley	
Barron	Dixon	Hand	Preuitt	
Cabaniss	Ellis			—9

Nays:

Senators:	Bennett	Denton	Holmes	
Amari	Bishop	Figures	Horn	
Bailey	Campbell	Foshee	Langford	
Bedford	Corbett	Goodwin	Parsons	
Bedsole	deGraffenried	Hilliard	Rice	—19

FURTHER CONSIDERATION OF H. B. 47

The Senate proceeded to further consideration of the Bill, H. B. 47.

Senator Bishop offered the following substitute for the Bill, H. B. 47, to-wit:

SUBSTITUTE FOR H. B. 47

**A BILL
TO BE ENTITLED
AN ACT**

To amend Sections 27-4-4 and 27-4-5, Code of Alabama 1975, so as to delete the provisions allowing insurance companies to deduct examination

expenses from premium taxes and to increase domestic and foreign premium tax rates and to provide that the increased revenue will be deposited in the State General Fund.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 27-4-4, Code of Alabama, 1975 is hereby amended to read as follows:

Section 27-4-4.

“(a) Every foreign insurer, except foreign life insurers, shall pay to the commissioner a premium tax amounting to four percent of the premiums received by such foreign insurer for business done in this state except as to wet marine and transportation insurance as defined in section 27-5-8, whether the same are actually received by said insurer in this state or elsewhere. Every foreign life insurer shall pay to the commissioner a premium tax amounting to one percent of annuity considerations and a premium tax of ~~three~~ four percent of any other premiums received by such foreign life insurer for business done in this state, whether the same are actually received by said insurer in this state or elsewhere. The rate of tax on premiums shall be subject to reduction as provided in this section. Beginning January 1, 1987, each foreign insurer shall pay its premium taxes on October 15, 1987, on an estimated basis of 50 percent of premiums received by such insurer in 1986 for business done in this state or, at the option of the insurer, based on its actual business done in this state from January 1 through June 30, 1987. On March 1, 1988, each foreign insurer shall remit with its premium tax return, the remainder of the premium taxes due on its actual business done in this state during the preceding calendar year, 1987. Beginning January 1, 1988, and all years thereafter, each foreign insurer shall pay its premium taxes on a quarterly basis as follows: the May 15 payment shall be estimated on 25 percent of its actual business done in this state during the preceding calendar year or, at the option of such insurer, based on its actual business done in this state from January 1 through March 31 of the same calendar year; the August 15 payment shall be estimated on 25 percent of its business done in this state during the preceding calendar year or, at the option of such insurer, based on its actual business done in this state from April 1 through June 30 of the same calendar year; the November 15 payment shall be estimated on 25 percent of its business done in this state during the preceding calendar year or, at the option of such insurer, based on its actual business done in this state from July 1 through September 30 of the same calendar year and the March 1 payment shall be in the amount of the remainder of the premium taxes due on its actual business done in this state during the preceding calendar year. Each authorized insurer shall file with the commissioner a statement, in form as furnished or approved by him, setting forth the total amount of premiums and annuity considerations received by it for business done in this state during the period covered by the tax payment, except as to wet marine and transportation insurance as defined in section 27-5-8. The statement shall be verified by the affidavit of an officer of the insurer having knowledge of the facts. It is the intent and meaning of this section that any taxes paid based on an estimated basis for the preceding calendar year shall be reconciled to actual premiums collected in this state for a calendar year on the March 1 payment date of the succeeding calendar year. Further, that the premium taxes on premiums collected during the first and second six-month periods of calendar year 1987, shall be paid in the manner specifically provided in this section.

The premium taxes collected in this section shall be deposited in the state treasury and credited in accordance with the following tabulation:

(1) To the credit of the state general fund; ~~from which the legislature may appropriate funds for old age assistance purposes:~~

- a. One hundred percent of premium tax on foreign life insurers;
- b. Sixty-two and one-half percent of premium tax on all foreign property insurers; and
- c. Seventy-five percent of premium tax on all other foreign insurers; and

(2) To the credit of the Alabama special educational trust fund:

- a. Thirty-seven and one-half percent of premium tax on foreign property insurers; and
- b. Twenty-five percent of premium tax on all other foreign insurers.

~~(b) If the annual statement or other report required to be made by such foreign insurer to the Alabama department of insurance, whose premiums are taxed under this chapter, for the preceding calendar year shows such insurer to have invested at the close of said year in Alabama investments, as defined in this section, the requisite percentages of its total admitted assets, the rate of premium tax hereby levied on premiums shall be that shown in the following schedules:~~

Percentage of Insurer's Admitted Assets Invested in Alabama Investments	Applicable Rate of Premium Tax for Foreign Life Insurers	Applicable Rate of Premium Tax for All Other Foreign Insurers
Less than 1% —————	3.0% —————	4.0% —————
1% and above but less than 2% —————	2.9% —————	3.9% —————
2% and above but less than 3% —————	2.8% —————	3.8% —————
3% and above but less than 4% —————	2.7% —————	3.7% —————
4% and above but less than 5% —————	2.6% —————	3.6% —————
5% and above but less than 6% —————	2.5% —————	3.5% —————
6% and above but less than 7% —————	2.4% —————	3.4% —————
7% and above but less than 8% —————	2.3% —————	3.3% —————
8% and above but less than 9% —————	2.2% —————	3.2% —————
9% and above but less than 10% —————	2.1% —————	3.1% —————
10% and above —————	2.0% —————	3.0% —————

~~(e) Alabama investments, as used in this section, shall mean any of the following investments:~~

- ~~(1) Real estate in this state;~~
- ~~(2) Bonds or interest bearing warrants or other evidences of indebtedness of the state of Alabama or of any county, city, town, school district, state~~

educational institution, municipality or other subdivisions of the state, or of any duly authorized agency, board or authority of the state of Alabama or of any political subdivision thereof whether such agency, board or authority now exists or is hereafter created;

~~(3) Stocks, bonds or other evidences of indebtedness of any housing or redevelopment authority organized under the Housing Authorities Law or Redevelopment Law of the state of Alabama, as from time to time established and amended;~~

~~(4) Notes or bonds secured by mortgages or other liens on real estate or on leasehold interests in real estate in the state of Alabama;~~

~~(5) Stocks, bonds, debentures, notes or other evidences of indebtedness of any corporation organized under the laws of the state of Alabama;~~

~~(6) Notes, debentures or other evidences of any indebtedness of any business operated as a sole proprietorship, partnership or other legal entity having its principal office and place of business in the state of Alabama;~~

~~(7) Notes, bonds or other evidences of indebtedness secured by mortgage or other lien upon real estate situated in the state of Alabama and insured or guaranteed, in whole or in part, by the United States or any agency or instrumentality thereof, together with any bonds, debentures or other evidences of indebtedness of the United States or any agency or instrumentality thereof received and retained in whole or partial settlement of any such insurance or guaranty;~~

~~(8) Collateral loans to Alabama residents or to others where at least one half of the value of the collateral so pledged constitutes an Alabama investment as defined in this section;~~

~~(9) Cash deposits in regularly established national or state banks in this state on the basis of the average monthly deposits throughout the calendar year;~~

~~(10) Loans secured by policies on the lives of residents of the state of Alabama;~~

~~(11) Share or share accounts of building and loan associations organized under the laws of the state of Alabama or in the share or share accounts of federal savings and loan associations having their principal office in the state of Alabama;~~

~~(12) Stocks, bonds, notes, debentures or other evidences of indebtedness of any corporation organized under the laws of any other state of the United States, to the extent that the assets of such corporation located in the state of Alabama bear to the total assets of the corporation issuing such stocks, bonds, notes or other evidences of indebtedness;~~

~~(13) Stocks, bonds, notes or other evidences of indebtedness issued by railroad companies, public carriers or transportation companies, to the extent that its trackage or mileage in Alabama bears to the total trackage or mileage of such railroad, public carrier or other transportation company;~~

~~(14) That percentage of such insurer's investments in stocks, bonds, notes or other evidences of indebtedness of any telegraph, telephone, electric power company or other public utility to the extent that the revenue of any such company from Alabama bears to the total of such telegraph, telephone, electric power company or other public utility; and~~

~~(15) That percentage of the insurer's investments held as of December 31, in direct obligations of the United States of America as the total premiums received by the company for direct insurance of subjects located, resident or to be performed in Alabama relate to the total premiums received by the insurer.~~

(d) (b) Any such tax so determined shall be subject to credit and deduction of the full amount, with 25 percent of the full amount paid, or estimated to be paid, being credited or deducted on each quarterly payment date, for:

(1) All ad valorem taxes paid by the insurer for the tax year next preceding the filing of the return required by this section upon any real estate and the improvements thereon in the state of Alabama owned and at least 50 percent occupied by the insurer for the full period of such tax year;

(2) All license fees and taxes paid to any county in this state during the year preceding the filing of the return required by this section for the privilege of engaging in the business of insurance within said county;

(3) All franchise taxes paid by the insurer under the provisions of sections 40-14-40 or 40-14-41 for the tax year preceding the filing of the return required by this section; and

~~(4) All expense of examination of the insurer by the commissioner.~~

(5) (4) All credits for assessments paid as provided under the provisions of sections 27-42-16 and 27-44-13.

(6) (5) It is the intent of this section that any estimated allowable deduction be reconciled to actual expenditures made during the calendar year next preceding the filing of the tax return and necessary adjustments reflected in the tax payment due March 1. Credit taken against taxes due for the six-month period ending June 30, 1987, and payable on October 15, 1987, will be in the amount of one-half of deductible expenses paid or estimated to be paid, and the remainder of any such expenses paid during calendar year 1987 will be reflected in the premium tax return due March 1, 1988."

Section 2. Section 27-4-5 of the Code of Alabama, 1975 is hereby amended to read as follows:

Section 27-4-5.

"(a) Every domestic life insurer shall pay to the commissioner a premium tax equal to ~~one~~ four percent of the premiums and one percent of annuity considerations received by such insurer for business done in this state during the preceding period, whether the same are actually received by said insurer in this state or elsewhere. Every other domestic insurer and every nonprofit corporation organized pursuant to the provisions of section 10-4-100 et seq. shall pay to the commissioner a premium tax equal to ~~one~~ four percent of the premiums received by such insurer for business done in this state during the preceding period, whether the same are actually received by said company in this state or elsewhere. Beginning January 1, 1987, each domestic insurer shall pay its premium taxes on October 15, 1987, on an estimated basis of 50 percent of premiums received by such insurer in 1986 for business done in this state or, at the option of such insurer, based on its actual business done in this state from January 1 through June 30, 1987. On March 1, 1988,

each domestic insurer shall remit with its premium tax return, the remainder of the premium taxes due on actual business done in this state during the preceding calendar year, 1987. Beginning January 1, 1988, and all years thereafter, each domestic insurer shall pay its premium taxes on a quarterly basis as follows: the May 15 payment shall be estimated on 25 percent of its business done in this state during the preceding calendar year or, at the option of such insurer, based on its actual business done in this state from January 1 through March 31 of the same calendar year; the August 15 payment shall be estimated on 25 percent of its business done in this state during the preceding calendar year or, at the option of such insurer, based on its actual business done in this state from April 1 through June 30 of the same calendar year; the November 15 payment shall be estimated on 25 percent of its business done in this state during the preceding calendar year or, at the option of such insurer, based on its actual business done in this state from July 1 through September 30 of the same calendar year and the March 1 payment shall be in the amount of the remainder of the actual premium taxes due on its business done in this state during the preceding calendar year. Every authorized insurer shall file with the commissioner a statement, in form as furnished or approved by him, setting forth the total amount of premiums and annuity considerations received by it for business done in this state during the period covered by the tax payment, except as to wet marine and transportation insurance as defined in section 27-5-8. The statement shall be verified by the affidavit of an officer of the insurer having knowledge of the facts. It is the intent and meaning of this section that any taxes paid based on an estimated basis for the preceding calendar year shall be reconciled to actual premiums collected in this state for a calendar year on the March 1 payment date of the succeeding calendar year. Further, that the premium taxes on premiums collected during the first and second six-month periods of calendar year 1987, shall be paid in the manner specifically provided in this section.

(b) Any such tax so determined shall be subject to credit and deduction of the full amount, with 25 percent of the full amount paid, or estimated to be paid, being credited or deducted on each quarterly payment date, for:

(1) All ad valorem taxes paid by the insurer for the tax year preceding the filing of the return required by this section upon any building and real estate in the state of Alabama owned and occupied, in whole or in part, by the insurer for the full period of such tax year as its principal office in the state of Alabama;

(2) All ad valorem taxes paid by the insurer for the tax year preceding the filing of the return required by this section upon all other real estate and improvements thereon in this state owned and at least 50 percent occupied by the insurer for the full period of such tax year;

(3) All license fees and taxes paid to any county in this state during the year preceding the filing of the return required by this section for the privilege of engaging in the business of insurance within said county;

~~(4) All expenses of examination of the insurer by the commissioner;~~

~~(5)~~ (4) All license or privilege taxes on lists of securities paid by the insurer under the provisions of section 40-24-8 during the tax year preceding the filing of the return required by this section; and

~~(6)~~ (5) All franchise taxes paid by the insurer under the provisions of section 40-14-40 for the tax year preceding the filing of the return required by this section.

(7) (6) It is the intent of this section that any estimated allowable deductions be reconciled to actual expenditures made during the calendar year next preceding the filing of the tax return and necessary adjustments reflected in the tax payment due March 1. Credit taken against taxes due for the six-month period ending June 30, 1987, and payable on October 15, 1987, will be in the amount of one-half of deductible expenses paid or estimated to be paid, and the remainder of any such expenses paid during calendar year 1987 will be reflected in the premium tax return due March 1, 1988.

(c) The premium taxes collected under this section shall be deposited in the state treasury and credited as follows:

(1) To the credit of the state general fund:

a. ~~Fifty percent~~ Eighty-seven and one-half of premium tax on domestic life insurers;

b. ~~No part~~ Seventy-five percent of premium tax on nonprofit corporations organized pursuant to the provisions of section 10-4-100 et seq.; and

c. ~~Twenty-five~~ Eighty-one and twenty-five one hundreds percent of premium tax on all other domestic insurers; and

(2) To the credit of the Alabama Special Educational Trust fund:

a. ~~Fifty percent~~ Twelve and one-half percent of premium tax on domestic life insurers;

b. ~~One hundred~~ Twenty-five percent of premium tax on nonprofit corporations organized pursuant to the provisions of section 10-4-100 et. seq.; and

c. ~~Seventy-five~~ Eighteen and seventy-five one hundreds percent of premium tax on all other domestic insurers.

(d) Every domestic insurer, anything in this chapter to the contrary notwithstanding, shall be exempt from and not required to pay any premium tax for or on account of any premiums or annuity considerations for hospital, medical, surgical or other health care benefits supplementary to Medicare and Medicaid received by it for or on account of business done in this state, whether the same are actually received in this state or elsewhere."

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 5. This Act shall become effective on October 1, 1988.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Carothers and Johnson (RG):

H. 186. To provide for the establishment and operation of an Alabama Chiropractors' Hall of Fame Board, and to prescribe its powers and duties.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 186—to the Committee on Health

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Johnson (RG), Carothers, and White (L):

H. 201. This bill amends Section 22-21-24, Code of Alabama, 1975, by increasing the fees for the license for health care facilities.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 201—to the Committee on Health

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Turnham, Marks, Warren, Blakeney, Grouby, White (L), Carter, Mikell, Flowers, Richardson, Williams, Logan, Walker, Melton, Junkins, Harvey, Haynes, Higginbotham, Harper, Kennedy, Breedlove, Faulk, Freeman, Drake, Venable, Hammett, Zoghby, Coburn, McMillan, Rains, Burke, Turner, Bowling, Grayson, Buskey (JL), Johnson (RG), Laird, Layson, Clark (W), Bryant, Thomas, Frazier, Poole, Mathis, Willis, Hogan, Fuller, Blake, White (G), Hooper, McKee, Carothers, Marietta, Curry, Beasley, Cosby, Ford, Moon, Perdue, Wright, McClain, Starkey, Goodwin, Seibels, Newman, Gray, Petelos, Spratt, McDowell, Beers, Payne, Hamilton, Campbell, and Penry:

H. 148. To provide that any member of the teachers' or employees' retirement system of Alabama not presently covered by a provision to convert unused sick leave into membership service for purposes of service retirement may do so under the provisions of §36-26-36.1 provided that no employee

of an employer participating pursuant to §36-27-6 of the Code of Alabama 1975 shall be entitled to the benefits provided in this act unless such employer elects to come under the provisions of said act.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 148—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Turnham:

H. 310. To amend Section 27-4-2, Code of Alabama 1975, which provides for the collection of certain fees and licenses by the Commissioner of Insurance, so as to increase certain fees.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 310—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Rep. Layson:

H. 106. To amend Sections 9-13-82 and 9-13-84, Code of Alabama 1975, as amended, which provide for the severance tax on forest products and the distribution of the proceeds thereof, so as to increase said tax and provide further for its distribution.

Also:

By Rep. Mikell:

H. 156. To create an Alabama "generation-skipping transfer" tax which takes advantage of the state tax credit allowed in computing the federal "generation-skipping transfer" tax, thereby adding revenues to the state of Alabama without increasing the total tax liability of taxpayers.

JOHN W. PEMBERTON,
Clerk.

Yeas 23; Nays 0.

Yeas:

Senators:	Campbell	Drinkard	Holmes	
Amari	Covington	Ellis	Horn	
Bailey	deGraffenried	Foshee	Manley	
Bedford	Denton	Goodwin	Preuitt	
Bedsole	Dial	Hand	Rice	
Cabaniss	Dixon	Hilliard	Smith (J)	—23

Nays: —0

Senator Bedford offered the following amendment to the Bill, H. B. 52, as amended, to-wit:

AMENDMENT TO H. B. 52, AS AMENDED

Amend House Bill No. 52 Page 4 Line 5, by striking out the following after the word "hunting," to strike out "a driver's license" and insert the following

"proof of age" and renumber the following lines

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Senators:	Corbett	Figures	Holmes	
Amari	deGraffenried	Foshee	Horn	
Bailey	Denton	Goodwin	Manley	
Barron	Dial	Hale	Preuitt	
Bedford	Drinkard	Hand	Rice	
Bedsole	Ellis	Hilliard	Smith (B)	—24
Cabaniss				

Nays: —0

Senator Bailey offered the following amendment No. 2 to the Bill, H. B. 52, as amended, to-wit:

BAILEY AMENDMENT NO. 2 TO H. B. 52, AS AMENDED

Amend H. 52 as follows:

On page 5, line 36, after the period, insert the following language:

The Department of Conservation and Natural Resources is hereby directed to enter into a reciprocal agreement with the State of Florida to exempt residents of Alabama over 65 years of age from the requirement of procuring a license in Florida by exempting residents of Florida over 65 years of age from the requirement of procuring a license in Alabama.

Which was adopted.

the discretion of the State Industrial Development Authority; to provide a procedure for carryforward allocations; to establish an effective date; to authorize the State Industrial Development Authority to adopt rules and regulations governing the making of allocations; to designate the president of the State Industrial Development Authority as the State official authorized to make certain certifications required under the Internal Revenue Code of 1986, as amended; and to impose a duty of fairness and impartiality in the administration of the allocation program.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 137—to the Committee on Finance and Taxation

REPORT OF SECRETARY

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Bills and Senate Joint Resolutions delivered to the Governor, with the date and hour of delivery, to-wit:

S. B. 9	S. B. 66	S. B. 180
S. B. 10	S. B. 67	S. B. 181
S. B. 13	S. B. 160	S. B. 182

Delivered to the Governor September 8, 1988, at 12:03 P.M.

S. J. R. 29	S. J. R. 39
S. J. R. 38	S. J. R. 40

Delivered to the Governor September 8, 1988, at 3:30 P.M.

McDOWELL LEE,
Secretary of Senate.

SECRETARY'S REPORT

The foregoing report of the Secretary was read and ordered spread upon the Journal.

ADJOURNMENT

At 5:30 P.M., on motion of Senator Bishop, in accordance with Joint Resolution heretofore adopted, and pending further consideration of the Bill, H. B. 47, the Senate adjourned until Tuesday, September 13, 1988, at 1:01 P.M.

EIGHTH LEGISLATIVE DAY
TUESDAY, SEPTEMBER 13, 1988

The Senate met pursuant to adjournment, Lieutenant Governor Folsom presiding.

PRAYER

The Session was opened with prayer by the Reverend Dr. Hays McKay, Jr., Assistant Minister, First United Methodist Church, Montgomery, Alabama.

PLEDGE OF ALLEGIANCE

The Senators were led in the Pledge of Allegiance to the Flag of the United States of America by Janay Johnson, Jeff Davis High School, Montgomery, Alabama.

ROLL CALL

Present:

Senators:	Corbett	Goodwin	Menton
Amari	Covington	Hale	Mitchem
Bailey	deGraffenried	Hand	Parsons
Barron	Denton	Hilliard	Preuitt
Bedsole	Dial	Holmes	Rice
Bennett	Dixon	Horn	Sanders
Bishop	Drinkard	Langford	Smith (B)
Cabaniss	Ellis	Manley	Smith (J)
Campbell	Foshee		

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JOURNAL

On motion of Senator deGraffenried, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

**REPORT OF COMMITTEE
ON RULES ON
REVISION OF THE JOURNAL**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Seventh Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

BILL DRINKARD,
Chairperson.

COMMITTEE REPORT

On motion of Senator Drinkard, the foregoing report was concurred in and the Journal of the Senate for the Seventh Legislative Day was approved by the Senate.

LEAVE OF ABSENCE

On motion of Senator deGraffenried, leave of absence was granted Senators Bedford and Figures for today.

Senator Holmes moved that the Senate reconsider the vote by which the above leave of absence was granted.

On motion of Senator deGraffenried, the motion to reconsider was laid on the table.

INTRODUCTION OF BILLS

Upon the call of districts, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Senator deGraffenried (With Notice and Proof):

S. 211. To supplement the salaries of the circuit judges of the Sixth Judicial Circuit.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 211, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,
Secretary.

By Senator Manley:

S. 212. To validate certain ad valorem taxes levied for school purposes; and to provide that ad valorem taxes levied for school purposes and approved by the voters of a county or school district for a period in excess of 30 years are valid for the period approved by voters.

Committee on Rules.

By Senator Cabaniss:

S. 213. To amend Section 39-1-1, Code of Alabama 1975, requiring bonds for persons, firms or corporations contracting with the state or political subdivisions thereof for repair or construction of public buildings, works, highways or bridges, by adding at the end of subsection (a) of the existing section a provision adding public corporations and authorities as political subdivisions covered by the section, but providing for the exemption, from the requirements of the section, of any real or personal property leased to a private entity and owned by a private entity for Alabama or federal income tax purposes.

Committee on Finance and Taxation.

By Senator Bennett (With Notice and Proof) (By Request):

S. 214. Relating to Winston County; levying a county privilege, license or excise tax on the sale, distribution, storage, use or other consumption of tobacco and certain tobacco products in such county; providing for the collection and enforcement of the tax; providing for the distribution of the proceeds therefrom; and providing for a referendum.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 214, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,
Secretary.

By Senator Bennett (With Notice and Proof) (By Request):

S. 215. Relating to Lamar County; levying a county privilege, license or excise tax on the sale, distribution, storage, use or other consumption of tobacco and certain tobacco products in such county; providing for the collection and enforcement of the tax; and providing for the distribution of the proceeds therefrom.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 215, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,
Secretary.

By Senator Bennett (With Notice and Proof) (By Request):

S. 216. Relating to Lamar County; levying a special county privilege and license tax paralleling the state sales tax levied on certain automotive vehicles provided for by section 40-23-101, Code of Alabama 1975, and a special county excise tax paralleling the state use taxes levied on the storage or use of certain automotive vehicles provided for by section 40-23-102, Code of Alabama 1975; specifying the rates at which such taxes shall be levied; providing for the ascertainment, collection, payment, distribution and use of the said taxes; and providing for enforcement of this act.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 216, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,
Secretary.

By Senator Bennett (With Notice and Proof) (By Request):

S. 217. To amend Section 9 of Act No. 88-562, S. 667 of the 1988 Regular Session of the Legislature, which act levies certain taxes on tobacco and tobacco products in Franklin County, so as to exempt Act No. 708 of the 1965 Regular Session of the Legislature approved on September 1, 1965, from the repealer provisions of said Section 9.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 217, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,
Secretary.

By Senator Hand (With Notice and Proof):

S. 218. Relating to Mobile County; to alter, rearrange and add to the limits of the City of Chickasaw in Mobile County, Alabama, and to alter and rearrange the limits of the City of Mobile in Mobile County, Alabama, by removing certain area from the limits of the City of Mobile and adding same to the limits to the City of Chickasaw, and to describe the area so removed from the City of Mobile and so added to the City of Chickasaw.

Committee on Local Legislation No. 3.

I hereby certify that the notice and proof is attached to the Bill, S. B. 218, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,
Secretary.

By Senator Bennett (With Notice and Proof) (By Request):

S. 219. To amend Section 9 of Act No. 88-562, S. 667 of the 1988 Regular Session of the Legislature, which act levies certain taxes on tobacco and tobacco products in Franklin County, so as to exempt Act No. 708 of the 1965 Regular Session of the Legislature approved on September 1, 1965, from the repealer provisions of said Section 9.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 219, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,
Secretary.

By Senator Bennett (With Notice and Proof) (By Request):

S. 220. Relating to Marion County; amending Act No. 88-619, H. 1030, 1988 Regular Session (Acts 1988, p. 961), levying a county privilege, license or excise tax on the sale, distribution, storage, use or other consumption of tobacco and certain tobacco products in such county, so as to provide further for the collection and enforcement of the tax; and for the distribution of the proceeds therefrom.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 220, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,
Secretary.

By Senator Bennett (With Notice and Proof) (By Request):

S. 221. Relating to the City of Bear Creek in Marion County; to alter the corporate boundaries so as to include additional lands within the corporate limits; and to provide for a referendum thereon.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 221, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,
Secretary.

By Senator Bennett (With Notice and Proof) (By Request):

S. 222. Relating to Franklin County; authorizing and providing for the incorporation of the Franklin County Water Coordinating and Fire Prevention Authority, as a public corporation for the purpose of furnishing water service and fire protection facilities; providing that the service area specified in the original certificate of incorporation of such authority shall lie within the boundaries of the county in which it is incorporated, but that the said service area may be extended into one or more counties other by amendment

to the certificate of incorporation; providing for and authorizing the certificate of incorporation and by-laws of such authority to be amended at any time and from time to time; providing for the appointment, election and compensation of directors of such authority; providing for the powers, authorities and duties of such authority and its board of directors; providing for the development of a master plan for said authority; authorizing such authority to acquire, construct, operate and improve one or more waterworks plants, water distribution systems or fire protection facilities, or any combination of any thereof; providing for cooperation with existing water systems and any county and city governments and any council of local government; conferring on such authority the power of eminent domain; making provisions respecting the establishment, revision and collection of charges for water service and fire protection facilities or service, or either, rendered by it; authorizing and providing for the assumption by such authority of obligations respecting systems and facilities, or parts thereof, acquired by the authority; providing that contracts entered into by such authority pursuant to this act shall not constitute or create a debt of the state or of any county, municipality or political subdivision of the state; providing that any county, municipality, other political subdivision, public corporation, or agency or instrumentality of this state may aid and cooperate with, lend or donate money to, perform services for the benefit of, and, without the necessity of an election and with or without consideration, transfer any water system, fire protection facility, or other property to such authority; providing that the rendition by such authority of water service or facilities or of fire protection service or facilities is a governmental function and to exempt such authority from all tort liability in connection with water services or facilities or with fire protection services or facilities; exempting from all taxation in this state such authority, its property, corporate activities, income, revenues, and securities, the income from its securities, conveyances, leases, and mortgages and deeds of trust to which such authority is a party, and exempting such authority from payment of certain charges to judges of probate; exempting the authority and the contracts made by it from all competitive bid laws; providing that such authority shall be exempted from regulation and supervision by the public service commission and the state department of finance; providing for the use of public roads in the state by such authority; providing for the dissolution of such authority and the disposition of its property; providing that any public corporation may convey its assets, with or without pecuniary consideration, to such authority; providing for auditing; and providing that funds of said authority may be used to aid in applying for available grants.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 222, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,
Secretary.

By Senator Horn:

S. 223. To permit the State of Alabama and all departments, agencies and instrumentalities thereof, all counties and municipalities in the State of Alabama, and all public corporations, agencies and instrumentalities of such counties and municipalities which are by law authorized to refund their outstanding obligations to issue refunding obligations to refund principal

only, interest only, or principal and interest in any combination thereof; and to provide that the provisions of this act are severable.

Committee on Finance and Taxation.

By Senators Denton, Parsons, Hand, Cabaniss, Bedsole, Dixon, Rice, Bailey, and Dial:

S. 224. To propose an amendment to the Constitution of Alabama of 1901, so as to levy a 10% privilege tax less local tax credits on the gross pari-mutuel pool at any dog racetracks in the State of Alabama, and to provide for the distribution of the revenues.

Committee on Judiciary.

The above Bill was read a first time at length as required by the Constitution.

By Senator Hilliard (With Notice and Proof):

S. 225. Relating to Jefferson County, amending Act No. 1272, H. 620, 1973 Regular Session, which provides for a pension and retirement system in the City of Birmingham, so as to provide further for the investment of pension funds.

Committee on Local Legislation No. 2.

I hereby certify that the notice and proof is attached to the Bill, S. B. 225, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,
Secretary.

REPORTS OF COMMITTEES

Senator Manley, Chairperson of the Standing Committee on Governmental Affairs, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senators Figures and Bedford:

S. 177. To prohibit any state or county inmate from being employed by any district attorney, judge, or sheriff, or any parent, sibling, or child of any district attorney, judge, or sheriff, or for any business one-third or more of which is owned by any district attorney, judge, or sheriff, or any parent, sibling, or child of any district attorney, judge, or sheriff; and to provide a penalty.

By Senators Figures and Bedford:

S. 178. To provide that the Judicial Inquiry Commission's investigative and litigation costs shall be paid out of the funds appropriated annually to the court costs fund or funds; and to provide for repayment of any refunded or recaptured amounts to the court cost fund or general fund.

Senator Manley, Chairperson of the Standing Committee on Governmental Affairs, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable

report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Senators Dixon, Horn, Drinkard, Barron, Bedsole, and deGraffenried
(With Substitute):

S. 196. To amend section 29-2-41, Code of Alabama 1975, which relates to the Contract Review Permanent Legislative Oversight Committee, so as to provide further for the committee's authority to review state contracts.

Senator Manley, Chairperson of the Standing Committee on Governmental Affairs, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Senators Langford and Ellis:

S. 210. To amend Sections 36-27A-1 and 36-27A-5, Code of Alabama 1975, so as to allow public officials or employees of the State of Alabama, or any political subdivision thereof, to participate in the Public Employees' Individual Retirement Account Fund and to provide for additional nondeductible contributions.

Senator Covington, Chairperson of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Reps. Turnham and Higginbotham (With Notice and Proof):

H. 259. Relating to Lee County; levying a lodging tax, providing for the collection and distribution of said tax, and establishing the "Auburn-Opelika Convention and Visitors Bureau."

By Rep. Laird (With Notice and Proof):

H. 326. Relating to Clay County, repealing Act No. 88-426, H. 938, enacted in the Regular Session of 1988, allowing the Clay County Health Department to set fees for service.

By Reps. Fuller and Laird (With Notice and Proof):

H. 338. Relating to Chambers County; abolishing the county offices of tax assessor and tax collector; providing for the establishment of a consolidated and unified system of assessment and collection of ad valorem taxes under the supervision of an elective county official designated as county revenue commissioner of said county; providing for the election and compensation of such revenue commissioner, and providing for a referendum upon the question of whether a majority of the qualified electors of Chambers County favor a revenue commissioner.

Senator Horn, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Reps. Turnham, Marks, Warren, Blakeney, Grouby, White (L), Carter, Mikell, Flowers, Richardson, Williams, Logan, Walker, Melton, Junkins, Harvey, Haynes, Higginbotham, Harper, Kennedy, Breedlove, Faulk, Freeman, Drake, Venable, Hammett, Zoghby, Coburn, McMillan, Rains,

Burke, Turner, Bowling, Grayson, Buskey (JL), Johnson (RG), Laird, Layson, Clark (W), Bryant, Thomas, Frazier, Poole, Mathis, Willis, Hogan, Fuller, Blake, White (G), Hooper, McKee, Carothers, Marietta, Curry, Beasley, Cosby, Ford, Moon, Perdue, Wright, McClain, Starkey, Goodwin, Seibels, Newman, Gray, Petelos, Spratt, McDowell, Beers, Payne, Hamilton, Campbell, and Penry:

H. 148. To provide that any member of the teachers' or employees' retirement system of Alabama not presently covered by a provision to convert unused sick leave into membership service for purposes of service retirement may do so under the provisions of §36-26-36.1 provided that no employee of an employer participating pursuant to §36-27-6 of the Code of Alabama 1975 shall be entitled to the benefits provided in this act unless such employer elects to come under the provisions of said act.

By Reps. Hooper, Hamilton, Cosby, Dillard, Bowling, Moon, Burke, McMillan, White (G), Mikell, Flowers, Logan, Gaston, Petelos, Curry, Walker, Fuller, Knight, Buskey (JL), Newton, Perdue, Freeman, Bugg, Drake, Kvalheim, Starkey, Goodwin, McKee, Turnham, Crow, Hammett, Payne, and Turner:

H. 137. To provide for the method of filing applications for allocations of a portion of the "State Ceiling" applicable to tax-exempt bonds; to establish expiration and reversion dates for allocation of "State Ceiling" and conditions subsequent to such allocations; to allocate the entire "State Ceiling" to the State, subject to redistribution by the State Industrial Development Authority; to reserve certain portions of the "State Ceiling" for the use and benefit of Alabama Housing Finance Authority and Alabama Higher Education Loan Corporation; to provide for the allocation of portions of the "State Ceiling" to issuers of small issue bonds for manufacturing facilities and for exempt facility bonds and for the allocation of a portion of the "State Ceiling" at the discretion of the State Industrial Development Authority; to provide a procedure for carryforward allocations; to establish an effective date; to authorize the State Industrial Development Authority to adopt rules and regulations governing the making of allocations; to designate the president of the State Industrial Development Authority as the State official authorized to make certain certifications required under the Internal Revenue Code of 1986, as amended; and to impose a duty of fairness and impartiality in the administration of the allocation program.

By Rep. Layson:

H. 106. To amend Sections 9-13-82 and 9-13-84, Code of Alabama 1975, as amended, which provide for the severance tax on forest products and the distribution of the proceeds thereof, so as to increase said tax and provide further for its distribution.

By Rep. Mikell:

H. 156. To create an Alabama "generation-skipping transfer" tax which takes advantage of the state tax credit allowed in computing the federal "generation-skipping transfer" tax, thereby adding revenues to the state of Alabama without increasing the total tax liability of taxpayers.

By Rep. Holley:

H. 132. To levy a fee of \$8.00 per ton on operators of commercial sites for the disposal of hazardous waste or hazardous substances for each ton of hazardous waste or hazardous substance received for disposal and disposed of at such sites; to define certain terms; to provide for penalties and interest

charge for non-compliance, departmental cost for collection, authority for rulemaking, and general record keeping requirements for commercial hazardous waste or hazardous substance disposal facility operators; and to provide that the operators of such sites shall pay all such fees levied to the State General Fund.

By Rep. Turnham:

H. 310. To amend Section 27-4-2, Code of Alabama 1975, which provides for the collection of certain fees and licenses by the Commissioner of Insurance, so as to increase certain fees.

Senator Drinkard, Chairperson of the Standing Committee on Rules, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Marietta:

H. 57. To amend Section 36-13-12 of the Code of Alabama 1975, providing pension for widows of governors, so as to provide further for the amount of such pension and to provide such pension for certain widowers of governors.

By Reps. Williams and Mathis:

H. 15. Relating to the eradication and control of swine diseases; to make a conditional appropriation to the Department of Agriculture and Industries for the fiscal year ending September 30, 1989, to indemnify owners of swine for the value of any swine ordered condemned and destroyed for the prevention and eradication of the disease of hog cholera, African swine fever and other swine diseases.

By Senator Bedsole:

S. 123. To amend Section 9-2-14, Code of Alabama 1975, as amended, to provide that the Advisory Board of Conservation and Natural Resources will consist of three ex officio members and eleven members appointed by the Governor as follows: one member shall be chosen from each of the Congressional districts in the State, one member shall be an individual whose primary livelihood is dependent upon agriculture, one member shall be an individual whose primary livelihood is dependent upon the forestry industry, one member shall be an individual whose primary livelihood is dependent upon the fishing or seafood industry and one member shall be an individual whose primary livelihood is dependent upon or is involved in wildlife management; to provide that the terms of the present appointive members of the said Board will expire on December 31, 1988; to provide for the terms of the appointive members of the said Board; and to provide an effective date.

By Senators Foshee and Covington:

S. 190. To amend Section 7-9-307 of the Code of Alabama 1975, relating to the Alabama Uniform Commercial Code and the purchase and sale of livestock; to provide for the exemption of the purchase and sale of livestock bought and sold by livestock buyers and livestock sale barns from requirements of filing and examining financing statements in the farm products central index system for liens prior to purchase or sale.

Senator Drinkard, Chairperson of the Standing Committee on Banking and Insurance, reported that the committee, in session, had acted on the

following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Bedsole:

S. 197. To amend the 1975 Code of Alabama, sections 41-15-2 through 41-15-9 and 41-15-11 to provide increased discounts for all insured, to clarify other provisions relating to the duties and responsibilities of the State Insurance Fund.

By Rep. Box:

H. 279. To amend Sections 10-2A-114, 10-2A-116, 10-2A-180, 10-2A-183, 10-2A-191, 10-2A-260, 10-2A-261, 10-2A-281 and 10-2A-282, Code of Alabama, 1975, so as to create the Secretary of State Corporations Fund, to provide for fees relating to corporations, to provide that the Secretary of State be provided copies of certain corporations filings, and to provide an appropriation from the Secretary of State Corporation Fund for the fiscal year 1988-89.

Senator Hilliard, Chairperson of the Standing Committee on Local Legislation No. 2, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Reps. Spratt, Seibels, Biddle, Davis, Perdue, Newton, and Payne (With Notice and Proof):

H. 180. Relating to Jefferson County; requiring the county commission to make certain office space provisions in the new Jefferson County Sheriff's Headquarters building located at Eighth Avenue and 22nd Street, North, in the City of Birmingham for certain personnel in the sheriff's department.

By Reps. Newton and Curry (With Notice and Proof):

H. 24. Relating to Jefferson County; to prescribe for the compensation of the Chief Deputy Sheriff of Jefferson County and to provide for the payment thereof.

By Rep. Perdue (With Notice and Proof):

H. 228. To amend Act No. 1272 of the Regular Session of the Legislature of Alabama of 1973, approved September 18, 1973, as amended, to provide for the participation of the unclassified employees of the City of Birmingham in the retirement and relief system of the City of Birmingham and to provide for related matters.

By Reps. Rogers, Spratt, McClain, McDowell, Newton, Davis, Wright, Escott, and Perdue (With Notice and Proof):

H. 312. Relating to Jefferson County; to provide for a county supplemental salary for any full-time court referee or full-time standing master in an amount equal to fifty percent (50%) of the county supplemental salary payable to their respective appointing judges, to be paid from the general fund.

Senator Preuitt, Chairperson of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bills

and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Ellis:

S. 187. To propose an amendment to the Constitution to provide that no bond, warrant or any other obligation of any county shall be considered a bond for the purposes of Section 222 of the Constitution of Alabama of 1901, as amended, nor shall any bond, warrant or any other obligation of any county be included in the indebtedness of such county within the meaning of any provision of Section 224 of the Constitution of Alabama of 1901, as amended, if any such bond, warrant or other obligation is issued to provide, improve or repair any public facilities or improvements (including, without limitation, roads, streets, sidewalks, sanitary sewers, storm water sewers, sewage treatment facilities, flood control facilities, seawalls, and lighting systems) specially benefiting, to any degree, one or more tracts or parcels of property if the cost of such public facilities or improvements is to be assessed, in whole or in part, against such property.

The above Bill was read a second time at length as required by the Constitution.

By Senator deGraffenried:

S. 97. To provide further for the revision of the guardianship laws of this state by amending Sections 1-106, 1-107, 2-104, 2-309, and 2-313 of the Alabama Uniform Guardianship and Protective Proceedings Act, Act No. 87-590, H. 233, which sections appear respectively as sections 26-2A-6, 26-2A-7, 26-2A-73, 26-2A-138, and 26-2A-142 of the Code of Alabama 1975.

By Reps. Carothers, Mathis, and Beasley:

H. 315. To amend Sections 1.03, 3.02, 3.14, 4.01, 4.02, 6.02 and 10.01 of Act No. 88-445, H. 963 of the 1988 Regular Session appearing in Article 1 of Chapter 44E of Title 11, Code of Alabama 1975, providing for a Mayor/Commission/City Manager form of government for Class 5 municipalities upon adoption by a municipality, so as to further provide for said form of government for Class 5 municipalities.

Senator Covington, Chairperson of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, with substitute, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. White (F) (With Notice and Proof) (With Substitute):

H. 90. Relating to the twenty-first judicial circuit, Escambia County, Alabama; providing further for expense allowances and equalizing expense allowances for the presiding circuit judge, circuit judge No. 2 and the district judge of the circuit; providing for such expense allowances to be payable from the county treasury.

By Rep. White (F) (With Notice and Proof) (With Substitute):

H. 183. Relating to Escambia County; there is hereby levied a county privilege, license or excise tax on the sale, distribution, storage, use or other consumption of cigarettes in such county; providing for the collection and enforcement of the tax; and appropriating the proceeds therefrom.

Senator Covington, Chairperson of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Rep. Headley (With Notice and Proof) (With Amendment):

H. 311. Relating to Bibb County, to authorize the county commission to levy an additional one cent (\$.01) sales and use tax in the county in areas located outside the municipal limits of Centreville, Brent and West Blocton; to provide for collection of said tax by the state revenue department; and to distribute the net proceeds of said tax to the county general fund.

Senator Covington, Chairperson of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Reps. Bugg, Junkins, and Ford (With Notice and Proof):

H. 324. Relating to the City of Gadsden, in Etowah County, amending Section 14 of Act No. 671, H. 921 of the 1951 Regular Session (Acts 1951, Vol. II, p. 1158), as amended by Act No. 88-434, H. 59, 1988 Regular Session, which creates and establishes, within certain cities classified on a population basis, a civil service system to govern the appointment, tenure, compensation, conditions of employment and removal of certain officers and employees of such cities, so as to provide further for the meetings of the civil service board.

By Rep. Clark (J) (With Notice and Proof):

H. 330. Relating to Barbour County; providing further for the funding of the offices of the tax assessor and tax collector.

By Reps. Hettinger, Butler, and Brooks:

H. 333. To propose an amendment to the Constitution of Alabama of 1901, as amended, so that notwithstanding existing provisions thereof the governing body of the City of Huntsville in Madison County shall have the authority to make a one-time appropriation of money, up to a maximum total appropriation of \$2,000,000.00, to one or more bona fide nonprofit organizations, which at the time of such appropriation has been organized for the purpose of fostering and coordinating volunteer activity in the field of the literary, visual, or performing arts, which said appropriation is to be used exclusively for construction of one or more buildings located within said city and owned by such organization; to provide that the City of Huntsville shall also have the authority to provide up to \$100,000.00 annually for certain operational expenses and maintenance of buildings; to provide that the provisions of such amendment, if adopted, shall be self-executing; and to provide for referendum.

The above Bill was read a second time at length as required by the Constitution.

By Rep. Richardson (With Notice and Proof):

H. 335. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Scottsboro in Jackson County.

RESOLUTIONS

Senator Smith (J) offered the following Senate Resolutions, to-wit:

S. R. 50. COMMENDING LINDA MARTIN MAYNOR OF GURLEY, ALABAMA.

Also:

S. R. 51. COMMENDING DR. ROLF PARKER GRIFFITH, JR., OF HUNTSVILLE, ALABAMA.

Also:

S. R. 52. COMMENDING DR. ORBA FOREST TRAYLOR OF HUNTSVILLE, ALABAMA.

Which were filed.

Senator Preuitt offered the following Senate Joint Resolution, to-wit:

S. J. R. 53. COMMENDING LLOYD G. MCCLENNY FOR DISTINGUISHED SERVICE TO THE SCHOOLS OF COOSA COUNTY, ALABAMA.

WHEREAS, it is with highest commendation that the Legislature of Alabama notes the distinguished and lengthy career of Lloyd G. McClenny in service to the public schools of Coosa County, Alabama; and

WHEREAS, a native of Headland, Alabama, and a United States Navy Veteran of World War II, Mr. McClenny is a graduate of the University of Alabama who embarked upon his educational career in 1950 as an assistant coach and science teacher at Coosa County High School; and

WHEREAS, following positions in the Coosa County Schools as teacher, coach and principal, Mr. McClenny became Superintendent of Education, thereafter to achieve the state's longest record for elected superintendents with the completion of seven terms in office upon retirement on August 31, 1988; and

WHEREAS, Lloyd McClenny will indeed long be remembered for the positive results of his tenure during such stressful periods as inadequate financing and the implementation of integration, among others; and

WHEREAS, his greatest accomplishment, however, is considered by many to be the consolidation of Coosa County's rural high schools that resulted in the recent opening of Central High Coosa County, a fully equipped \$3 million facility housing 600 students in the ninth through twelfth grades; and

WHEREAS, it is both widely and gratefully acknowledged that Superintendent McClenny has greatly enhanced educational opportunities for the youth of Coosa County, and this impact upon the community heralds new eras of progress and further development in educational preparedness for students, county-wide; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That in recognition of outstanding service to the public schools of Coosa County, Alabama, we hereby commend Lloyd G. McClenny, whom we hold in highest personal regard and for whom a copy of this resolution shall be provided.

On motion of Senator Preuitt, the Rules were suspended and the Resolution was adopted by the Senate.

BILLS ON THIRD READING

THE BILL:

H. 166. Relating to Mobile County; providing for the establishment of a consolidated and unified system of assessment and collection of taxes under the supervision of an elective county official designated as county revenue commissioner upon the expiration of the current terms of office of tax assessor and tax collector; prescribing the powers, duties, and term of office of said county revenue commissioner, and providing for his election; abolishing the county offices of tax assessor and tax collector in Mobile County; repealing conflicting laws; and providing that this act shall become effective only upon the approval of a majority of the qualified electors of Mobile County voting thereon in a referendum election.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Campbell	Drinkard	Horn	
Amari	Corbett	Ellis	Langford	
Bailey	Covington	Foshee	Menton	
Barron	deGraffenried	Goodwin	Parsons	
Bedsole	Denton	Hand	Preuitt	
Bishop	Dial	Holmes	Rice	
Cabaniss	Dixon			—25

Nays: —0

THE BILL:

H. 230. Relating to the City of Prichard in Mobile County; limiting the number of city council members on the water works and sewer board to no more than one.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Campbell	Drinkard	Horn	
Amari	Corbett	Ellis	Langford	
Bailey	Covington	Foshee	Menton	
Barron	deGraffenried	Goodwin	Parsons	
Bedsole	Denton	Hand	Preuitt	
Bishop	Dial	Holmes	Rice	
Cabaniss	Dixon			—25

Nays: —0

THE BILL:

S. 204. Relating to the city of Fort Payne, DeKalb County, Alabama; authorizing such city the rights to establish, purchase, construct, maintain

and operate a television cable service for their residents and within its corporate jurisdiction; authorizing the City of Fort Payne to utilize certain eminent domain powers within its jurisdiction with respect to the establishment, purchasing, constructing, maintaining and operation of a television cable service.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following substitute for the Bill, S. B. 204, to-wit:

SUBSTITUTE FOR S. B. 204

A BILL TO BE ENTITLED AN ACT

Relating to the city of Fort Payne, DeKalb County, Alabama; authorizing such city the rights to establish, purchase, construct, maintain and operate a television cable service for their residents and within its corporate jurisdiction; authorizing the City of Fort Payne to utilize certain eminent domain powers within its jurisdiction with respect to the establishment, purchasing, constructing, maintaining and operation of a television cable service.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Provision of this act shall apply only to the City of Fort Payne in DeKalb County.

Section 2. The Municipal Corporation of the City of Fort Payne in DeKalb County shall have the right to establish, purchase, construct, maintain, and operate a television cable service to their residents and the residents within the corporate territory within DeKalb County,

Section 3. The municipal corporation is authorized to construct, lease, purchase, or otherwise acquire television lines or cables for the furnishing of television service from any point in this state or any other state to said municipal corporation and corporate territory.

Section 4. For the purpose of this act such municipal corporation may exercise the right of eminent domain within its boundaries and corporate jurisdiction. Such eminent domain proceedings shall be conducted in a manner now provided by law.

Section 5 (a) In the payment for the purchase, construction, acquisition, extension, or maintenance of such television cable system, said municipal corporation may issue its bonds in a manner provided by law.

(b) This municipal corporation, in order to secure prompt and favorable performance of the principal and interest of all debts, bonds and other evidence of indebtedness incurred or issued by it for the construction, acquisition, extension, and maintenance of the television cable system, may execute a mortgage or deed of trust upon any and all such systems and all property used in connection therewith, including the franchise or any part thereof.

(c) Such mortgage or deed of trust may contain such terms, condition, covenants, and warranties for the protection of the municipal corporation and the holders of such bonds, or other securities issued by such municipal corporation and the holders of such bonds of securities issued by the municipal

corporation as may be determined and agreed upon by the governing body of the municipal corporation and persons, firms, or corporations owning such debts, bonds, or securities.

(d) Such mortgages may provide that in the event of a foreclosure of such mortgage, deed, or trust, at the foreclosure sale may acquire the right, privilege, and franchise of operating such system as may be sold or conveyed and such purchaser or his vendee may have the right, authority, and privilege to carry on, and operate such system on the same terms and to the same extent as the municipal corporation is authorized to operate until a municipal corporation may redeem such system from such a mortgage sale.

(e) Such mortgage or deed or trust may provide that during the ownership of the system of the municipal corporation its control of the system shall not be diminished or inferred with by the grant of any other franchise for the operation of any other plant or system of similar purposes and such rates and charges shall be established and maintained as are sufficient to meet the costs and operation of the system and such municipal corporation may pledge all the receipts, earnings, and revenues of the operation of the system for the payment of debts, bonds, and other evidence of indebtedness incurred by such mortgages or deeds of trust.

Section 6. The municipal corporation furnishing television cable service pursuant to this act shall have the right to agree with any person furnishing television cable service to the public in this state to interconnect with television cable lines, facilities, and systems furnishing such service with or otherwise make available such cables, lines, facilities, and systems to municipal corporations television cable lines, facilities, and systems in order to provide a continuous line of communication for the municipal corporation's subscribers.

Section 7. The municipal corporation shall have the power and authority necessary and proper to exercise the powers conferred upon it by this act and to effectuate the purpose of this act.

Section 8. The transaction of business pursuant to this act, said municipal corporation shall be exempt from the jurisdiction and control of the Alabama Public Service Commission with respect to such business.

Section 9. In carrying out the provisions of this act the Mayor and City Council, as the governing body of the City of Fort Payne, Alabama, a municipal corporation, shall have the option of forming a utilities board in accordance with the provisions of Article 9 of Chapter 50 of Title 11 of the Code of Alabama 1975, to carry out the provisions of this act, or to authorize and empower the Fort Payne Improvement Authority, a public corporation incorporated under the provisions of Chapter 7 of Title 39, Code of Alabama, 1975, to carry out the provisions of this act.

If the Mayor and City Council choose to delegate the powers, duties, and responsibilities of this act to a separate corporation then the separate corporation shall have the same powers, duties, obligations, and authorities as a municipal corporation under the provisions of this act.

Section 10. All laws or parts of laws which conflict with this act are hereby repealed.

Section 11. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 12. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

On motion of Senator Bedsole, further consideration of the Bill, S. B. 204, and pending substitute, was postponed subject to the call of the Chair.

THE BILL:

S. 174. To authorize the Choctaw County Board of Health to designate the services rendered by the County Health Department for which a reasonable fee may be charged and to set the appropriate fee for each service. No citizen shall be denied any service because of that person's inability to pay.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Cabaniss	Foshee	Horn
Amari	Campbell	Goodwin	Manley
Bailey	Denton	Hale	Mitchem
Barron	Dial	Hand	Parsons
Bedsole	Dixon	Hilliard	Preuitt
Bennett	Drinkard	Holmes	Sanders
Bishop	Ellis		

—25

Nays:

—0

THE BILL:

S. 202. Relating to Franklin County; amending Act No. 88-562, S. 667, 1988 Regular Session (Acts 1988, p. 881), levying a county privilege, license or excise tax on the sale, distribution, storage, use or other consumption of tobacco and certain tobacco products in such county, so as to provide further for the collection and enforcement of the tax; and for the distribution of the proceeds therefrom.

was taken up.

On motion of Senator Bedsole, further consideration of the Bill was postponed subject to the call of the Chair.

THE BILL:

H. 85. Relating to Franklin County; to provide for additional expense allowances for members of the board of registrars and to provide for its retroactive effect.

was taken up.

On motion of Senator Bedsole, further consideration of the Bill was postponed subject to the call of the Chair.

THE BILL:

H. 88. Relating to Chambers County, providing further for the compensation of poll workers.

was taken up.

On motion of Senator Bedsole, further consideration of the Bill was postponed subject to the call of the Chair.

THE BILL:

H. 124. To authorize an additional county salary supplement for the District Attorney of the Thirty-Seventh Judicial Circuit; to provide that the provisions of this act shall be effective October 1, 1988.

was taken up.

On motion of Senator Bedsole, further consideration of the Bill was postponed subject to the call of the Chair.

THE BILL:

H. 160. Relating to Shelby County; to provide further for the compensation of certain poll officials and poll workers.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Corbett	Foshee	Horn	
Barron	Covington	Goodwin	Langford	
Bedsole	deGraffenried	Hale	Manley	
Bennett	Denton	Hand	Menton	
Bishop	Dial	Hilliard	Rice	
Cabaniss	Dixon	Holmes	Sanders	
Campbell	Ellis			—25

Nays: —0

THE BILL:

H. 176. Relating to the City of Huntsville in Madison County; to authorize the Huntsville Board of Education and the Huntsville City Council to agree to qualify, run for office, and be elected from the same geographical districts, and to allow the said Board and Council to agree to have five or more such districts.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Campbell	Foshee	Manley	
Amari	Corbett	Hale	Menton	
Barron	Covington	Hilliard	Preuitt	
Bedsole	deGraffenried	Holmes	Rice	
Bennett	Denton	Horn	Smith (B)	
Bishop	Dial	Langford	Smith (J)	
Cabaniss	Dixon			—25

Nays: —0

THE BILL:

H. 215. Relating to Blount County; to provide further for fire districts within the county.

was taken up.

On motion of Senator Bedsole, further consideration of the Bill was postponed subject to the call of the Chair.

THE BILL:

H. 231. Relating to Madison County; to exempt from all county, local or municipal ad valorem taxes all property owned and used by the Huntsville Land Trust, Incorporated.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Campbell	Foshee	Manley
Amari	Corbett	Hale	Menton
Barron	Covington	Hilliard	Preuit
Bedsole	deGraffenried	Holmes	Rice
Bennett	Denton	Horn	Smith (B)
Bishop	Dial	Langford	Smith (J)
Cabaniss	Dixon		

—25

Nays:

—0

THE BILL:

H. 278. Relating to Randolph County, repealing Act No. 88-328, H. 857, enacted in the Regular Session of 1988, allowing the Randolph County Health Department to set fees for service.

was taken up.

On motion of Senator Bedsole, further consideration of the Bill was postponed subject to the call of the Chair.

THE BILL:

H. 284. To authorize the City of Huntsville to acquire and operate passenger excursion trains upon the tracks of any public or private railroad within Madison County based upon agreements for such operation between the city and any such public or private railroad corporation or other entity.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Campbell	Foshee	Manley
Amari	Corbett	Hale	Menton
Barron	Covington	Hilliard	Preuit
Bedsole	deGraffenried	Holmes	Rice
Bennett	Denton	Horn	Smith (B)
Bishop	Dial	Langford	Smith (J)
Cabaniss	Dixon		

—25

Nays:

—0

THE BILL:

H. 307. Relating to Randolph County, repealing Act No. 88-328, H. 857, enacted in the Regular Session of 1988, allowing the Randolph County Health Department to set fees for service.

was taken up.

On motion of Senator Bedsole, further consideration of the Bill was postponed subject to the call of the Chair.

THE BILL:

H. 309. Relating to Perry County; authorizing the county commission to levy an additional ad valorem tax in said county to be used for general purposes and providing for a referendum.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cabaniss	Foshee	Horn
Amari	Campbell	Goodwin	Langford
Bailey	Denton	Hale	Manley
Barron	Dial	Hand	Menton
Bedsole	Dixon	Hilliard	Preuitt
Bennett	Drinkard	Holmes	Sanders
Bishop	Ellis		

—25

Nays: —0

THE BILL:

H. 321. Authorizing the probate judge of Perry County to have a chief clerk and two additional clerks to assist the probate judge of Perry County in the performance of his duties and to provide for retroactive effect.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cabaniss	Foshee	Horn
Amari	Campbell	Goodwin	Langford
Bailey	Denton	Hale	Manley
Barron	Dial	Hand	Menton
Bedsole	Dixon	Hilliard	Preuitt
Bennett	Drinkard	Holmes	Sanders
Bishop	Ellis		

—25

Nays: —0

THE BILL:

H. 322. Authorizing the county commission of Perry County to provide for a chief clerk and not more than two additional clerks to assist the county commission of Perry County in the performance of its duties.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cabaniss	Foshee	Horn
Amari	Campbell	Goodwin	Langford
Bailey	Denton	Hale	Manley
Barron	Dial	Hand	Menton
Bedsole	Dixon	Hilliard	Preuitt
Bennett	Drinkard	Holmes	Sanders
Bishop	Ellis		

—25

Nays:

—0

UNFINISHED BUSINESS**BILLS ON THIRD READING RESUMED**

The Senate proceeded to consideration of the Unfinished Business for today, which was the Bill:

H. 47. To amend sections 27-4-4 and 27-4-5, Code of Alabama 1975, so as to delete provisions allowing insurance companies to deduct examination expenses from premium taxes.

The question was on the substitute offered by Senator Bishop, which said substitute is set out in the Journal of the Senate for the Seventh Legislative Day.

On motion of Senator Foshee, further consideration of the Bill, H. B. 47, and pending substitute, was postponed subject to the call of the Chair.

RESOLUTION

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

S. R. 54. SPECIAL ORDER CALENDAR.

RESOLVED BY THE SENATE That the following bills in the order named shall be the paramount and continuing order of business taking precedence over all other matters upon reaching bills on third reading for the eighth legislative day of the 1988 First Special Session only:

Inst Id	Page
H. 18	37
Motor vehicles, sales tax incr., Secs. 40-23-2, 40-23-61, 40-23-101, 40-23-102, 40-23-35 and 40-23-108, amd.	
S. 201	39
Mental Health Finance Authority, auth. to enter financial institutions of the st. retirement systems, tobacco tax pledged for paying retirement system, Act 88-475, Reg. Sess. 1988 am'd.	
S. 98	12
Consumer finance, actuarial method of computation on consumer loans and consumer credit sales, Sec. 5-19-4 am'd.	

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S. 125	19
Bonds, tax exempt, procedure for allocation of state exempt ceiling imposed upon.	
S. 8	5
Criminal negligence, changed to felony, Sec. 13A-6-4 am'd.	
S. 53	8
Highway Dept. auth. to set speed limits in construction zones along highways.	
S. 126	21
Solid waste disposal fees, bond requirements for out-of-state household garbage, Sec. 22-27-5 am'd.	
H. 116	36
Local board of education, advance payments of, certain expenses for members and employees authorized, methods of payment prescribed.	
H. 42	30
Special educational trust fund, proration prevention account established.	
H. 224	38
Foster parents, liability insurance provided by Human Resources Dept., Sec. 36-1-6.1 am'd.	
S. 189	28
County bds. of equalization, membs.' comp. alt. for cert. cos. to reflect incr. in total assessed prop. evaluation, Sec. 40-3-7 am'd.	
S. 150	10
Student loan program, admin. by ACHE and Public School and College Authority, Secs. 16-33B-1, 16-33B-3, 16-33-4 am'd.	
S. 151	18
Teachers' scholarship loans, eligibility and repayment alt., Secs. 16-6A-12, 16-6A-13 am'd.	
S. 131	23
Statewide voter registration file maintenance system, elections.	
H. 43	35
State treasurer, approp.	
S. 99	36
District Attorneys' spouses fund, spouses of deceased district or supernumerary district attorneys.	

H. 222	29
Heating and Air Conditioning Bd., sunset law review continued, distinguish service and repair, certified U. S. registered, Secs. 34-31-18, 34-31-19, 34-31-21, 34-21-24, 34-31-28, 34-31-31 am'd.	
S. 167	25
Toilets, nonsewered, required at cert. agri. and construction sites and special events.	
H. 126	36
American Legion Scholarships, value and recipients incr., Secs. 16-31-1, 16-31-4 am'd	
H. 139	38
Human Resources Dept. auth. to transfer ownership of cert. property.	
S. 103	22
Acts of Alabama, 1987 Reg. Sess., codified.	
H. 12	35
State Bd. of Ed., members' comp., increase, Sec. 16-3-9, am'd.	
On motion of Senator Drinkard, the Resolution was adopted by the Senate.	

SPECIAL ORDER

BILLS ON THIRD READING RESUMED

The Senate proceeded to consideration of the special, paramount, and continuing order of business for today, the first of which was the Bill:

H. 18. To amend Sections 40-23-2, 40-23-61, 40-23-101 and 40-23-102, Code of Alabama 1975, which levy sales and use taxes on automotive vehicles, truck trailers, semitrailers, and house trailers, so as to increase the levy from 1 1/2% to 2% and amends Sections 40-23-35 and 40-23-108 to distribute the additional funds generated to the state general fund.

The Standing Committee on Finance and Taxation reported the following amendment to the Bill, H. B. 18, to-wit:

AMENDMENT TO H. B. 18

Amend House Bill 18 on Page 4, line 21, by adding after the word automobiles the following: "motorcycles,"

Further amend House Bill 18 on Page 4, line 26, by deleting the following "motorcycles,"

On motion of Senator Horn, said amendment was laid on the table.

Senator Preuitt offered the following amendment to the Bill, H. B. 18, to-wit:

AMENDMENT TO H. B. 18

Amend House Bill 18 on Page 4, line 21, by adding after the word automobiles the following: "motorcycles,"

Further amend House Bill 18 on Page 4, line 26, by deleting the following "motorcycles,"

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Senators:	deGraffenried	Foshee	Manley
Barron	Denton	Goodwin	Menton
Bedsole	Dial	Hale	Mitchem
Bennett	Dixon	Hand	Preuitt
Cabaniss	Drinkard	Holmes	Rice
Campbell	Ellis	Horn	Smith (B)
Corbett			

—24

Nays: —0

Senator Hand offered the following amendment to the Bill, H. B. 18, as amended, to-wit:

AMENDMENT TO H. B. 18, AS AMENDED

Amend H. B. 18 on page 4, line 34 by deleting the figure "\$.02" and inserting in lieu thereof the figure "\$.025".

Further amend on page 5, line 1 by deleting the figure "75%" and inserting in lieu thereof the figure "60%".

Further amend on page 5, line 3 by deleting the language:

\$.005, or 25%

and inserting in lieu thereof the following: \$.01, or 40%".

Further amend on page 11, line 25 by deleting the figure "\$.02" and inserting in lieu thereof the figure "\$.025".

Further amend on page 11, line 26 by deleting the figure "75%" and inserting in lieu thereof "60%".

Further amend on page 11, line 28 by deleting: "\$.005, or 25%" and inserting in lieu thereof:

\$.01, or 40%".

Further amend on page 13, lines 8 and 31 by deleting the word "two" and inserting in lieu thereof:

"two and one-half".

Further amend on page 14, line 6 by deleting: "\$.02" and inserting in lieu thereof the figure: "\$.025".

Further amend on page 14, line 7 by deleting "75%" and inserting "60%".

Further amend on page 14, line 9 by deleting: "\$.005, or 25%" and inserting: "\$.01, or 40%".

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 160. Relating to Shelby County; to provide further for the compensation of certain poll officials and poll workers.

Also:

H. 166. Relating to Mobile County; providing for the establishment of a consolidated and unified system of assessment and collection of taxes under the supervision of an elective county official designated as county revenue commissioner upon the expiration of the current terms of office of tax assessor and tax collector; prescribing the powers, duties, and term of office of said county revenue commissioner, and providing for his election; abolishing the county offices of tax assessor and tax collector in Mobile County; repealing conflicting laws; and providing that this act shall become effective only upon the approval of a majority of the qualified electors of Mobile County voting thereon in a referendum election.

Also:

H. 176. Relating to the City of Huntsville in Madison County; to authorize the Huntsville Board of Education and the Huntsville City Council to agree to qualify, run for office, and be elected from the same geographical districts, and to allow the said Board and Council to agree to have five or more such districts.

Also:

H. 230. Relating to the City of Prichard in Mobile County; limiting the number of city council members on the water works and sewer board to no more than one.

Also:

H. 231. Relating to Madison County; to exempt from all county, local or municipal ad valorem taxes all property owned and used by the Huntsville Land Trust, Incorporated.

Also:

H. 284. To authorize the City of Huntsville to acquire and operate passenger excursion trains upon the tracks of any public or private railroad within Madison County based upon agreements for such operation between the city and any such public or private railroad corporation or other entity.

Also:

H. 309. Relating to Perry County; authorizing the county commission to levy an additional ad valorem tax in said county to be used for general purposes and providing for a referendum.

Also:

H. 321. Authorizing the probate judge of Perry County to have a chief clerk and two additional clerks to assist the probate judge of Perry County in the performance of his duties and to provide for retroactive effect.

Also:

H. 322. Authorizing the county commission of Perry County to provide for a chief clerk and not more than two additional clerks to assist the county commission of Perry County in the performance of its duties.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

FURTHER CONSIDERATION OF H. B. 18, AS AMENDED

The Senate proceeded to further consideration of the Bill, H. B. 18, as amended. The question was on the amendment offered by Senator Hand.

On motion of Senator Bishop, said amendment was laid on the table.

Yeas 20; Nays 7.

Abstaining 1.

Yeas:

Senators:	Covington	Ellis	Manley	
Bailey	deGraffenried	Foshee	Menton	
Bennett	Denton	Goodwin	Mitchem	
Bishop	Dial	Holmes	Parsons	
Campbell	Drinkard	Langford	Smith (J)	
Corbett				—20

Nays:

Senators:	Bedsole	Dixon	Hand	
Amari	Cabaniss	Hale	Smith (B)	—7

Abstaining: Senator Prewitt —1

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 32. URGING THE NCAA TO ADOPT A RULE MANDATING THAT ITS MAJOR COLLEGE AND UNIVERSITY MEMBERS SHALL DENY ADMISSION AFTER 1992 TO THOSE ATHLETES WHO CANNOT SATISFY ITS ACADEMIC ADMISSION STANDARDS AND FURTHER URGING THE PRESIDENTS OF THE MEMBER UNIVERSITIES OF THE SOUTHEASTERN CONFERENCE TO WITHHOLD IMPLEMENTATION OF THEIR RECENT DECISION THAT WOULD DENY SUCH ATHLETES ADMISSION TO THEIR UNIVERSITIES AFTER 1992 UNTIL SUCH TIME AS THE NCAA REQUIRES ALL OF ITS MAJOR COLLEGE AND UNIVERSITY MEMBERS TO USE THE SAME ACADEMIC ADMISSION STANDARDS FOR ATHLETES.

Also:

S. J. R. 42. COMMENDING ASU RUNNING BACK, BRAD BAXTER, FOR OUTSTANDING ACHIEVEMENT.

Also:

S. J. R. 44. HONORING DAN A. EASTERLING, II, BY NAMING THE PRISON FACILITY AT CLIO, ALABAMA THE DAN A. EASTERLING, II, PRISON.

Also:

S. J. R. 49. NAMING THE ACT WHICH HOUSE BILL 233 BECOMES "THE STEVE HETTINGER DRUG ENFORCEMENT ACT".

Also:

S. J. R. 53. COMMENDING LLOYD G. MCCLENNY FOR DISTINGUISHED SERVICE TO THE SCHOOLS OF COOSA COUNTY, ALABAMA.

JOHN W. PEMBERTON,
Clerk.

FURTHER CONSIDERATION OF H. B. 18, AS AMENDED

The Senate proceeded to further consideration of the Bill, H. B. 18, as amended.

Senator Bishop moved that further consideration of the Bill, H. B. 18, as amended, be postponed subject to the call of the Chair, which motion was lost.

And said Bill, H. B. 18, as amended, was read a third time at length and passed.

Yeas 18; Nays 10.

Yeas:

Senators:	Campbell	Ellis	Langford	
Barron	deGraffenried	Foshee	Manley	
Bedsole	Denton	Goodwin	Preuitt	
Bennett	Dixon	Hale	Smith (B)	
Cabaniss	Drinkard	Hand		—18

Nays:

Senators:	Bishop	Dial	Parsons	
Amari	Corbett	Holmes	Smith (J)	
Bailey	Covington	Mitchem		—10

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 36. Relating to Talladega County, requiring the inspection of all asphalt plants eligible to bid on the sale of asphalt plant mix to the county or any municipality within the county by the highway department.

Also:

S. 38. Relating to Talladega County; to provide for the mailing address of the grantees to appear on all conveyances of real property recorded in the probate office of such county.

JOHN W. PEMBERTON,
Clerk.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Joint Resolutions with the original Senate Joint Resolutions, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 32. URGING THE NCAA TO ADOPT A RULE MANDATING THAT ITS MAJOR COLLEGE AND UNIVERSITY MEMBERS SHALL DENY ADMISSION AFTER 1992 TO THOSE ATHLETES WHO CANNOT SATISFY ITS ACADEMIC ADMISSION STANDARDS AND FURTHER URGING THE PRESIDENTS OF THE MEMBER UNIVERSITIES OF THE SOUTHEASTERN CONFERENCE TO WITHHOLD IMPLEMENTATION OF THEIR RECENT DECISION THAT WOULD DENY SUCH ATHLETES ADMISSION TO THEIR UNIVERSITIES AFTER 1992 UNTIL SUCH TIME AS THE NCAA REQUIRES ALL OF ITS MAJOR COLLEGE AND UNIVERSITY MEMBERS TO USE THE SAME ACADEMIC ADMISSION STANDARDS FOR ATHLETES.

Also:

S. J. R. 44. HONORING DAN A. EASTERLING, II, BY NAMING THE PRISON FACILITY AT CLIO, ALABAMA THE DAN A. EASTERLING, II, PRISON.

BILL DRINKARD,
Chairperson.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolutions, the titles of which are set out in the foregoing report from the Committee on Rules.

BILLS ON THIRD READING RESUMED

THE BILL:

S. 201. To amend Act No. 88-475, H. 747, 1988 Regular Session, which act creates the Alabama Mental Health Finance Authority and provides for mental health projects of the Authority, and financing of such projects; so as to authorize the Authority to enter into any necessary financial instruments or obligations with the Retirement Systems of Alabama in order to secure financing for the funding of projects of the Authority; and to provide that tax proceeds derived from sections 40-2-1 and 40-25-41, Code of Alabama

1975, or any subsequent tobacco tax, shall be primarily pledged for the payment of principal and interest on any said financing agreement.

was taken up.

Senator deGraffenried offered the following substitute for the Bill, S. B. 201, to-wit:

SUBSTITUTE FOR S. B. 201

A BILL TO BE ENTITLED AN ACT

To amend Act 88-475, as amended, 1988 Regular Session, which act creates the Alabama Mental Health Finance Authority and provides for mental health projects of the Authority, and financing of such projects; so as to authorize the Authority to enter into any necessary financial instruments or obligations with the Retirement Systems of Alabama in order to secure financing for the funding of projects of the Authority; to provide that such financing shall be payable solely from the taxes appropriated and pledged in Section 16 of Act 88-475, as amended; and to amend Section 16 of Act 88-475, as amended, so as to appropriate and pledge as additional security for bonds authorized pursuant to Act 88-475, as amended, all or a portion of the proceeds of the tax levied in House Bill 351 as approved by the Alabama Legislature in the First Special Session, 1988.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Sections 2 and 7 of Act 88-475, as amended, 1988 Regular Session, are hereby amended to read as follows:

“Section 2. The following terms hereafter used in this act shall have the following respective meanings:

“‘Authority’ means the public corporation organized pursuant to the provisions of this act.

“‘Bonds’ means the bonds issued under the provisions of this act.

“‘Commissioner’ means the Commissioner of Mental Health and Mental Retardation.

“‘Department’ means the Department of Mental Health and Mental Retardation provided for in chapter 50 of subtitle 2 of Title 22 of the Code of Alabama 1975.

“‘Directors’ means the Board of Directors of the Authority.

“‘Mental health facilities’ means any one or more of the following: hospitals and other facilities of any kind for treatment and care of the mentally ill and mentally retarded; regional or community-based mental health centers; regional or community-based facilities for treatment and care of the mentally ill or the mentally retarded; regional or community-based centers for the treatment of alcoholism or drug addiction; and improvements to existing state hospitals or other facilities for the treatment and care of the mentally ill and the mentally retarded.

“‘Community facilities’ means facilities operated by regional community mental health boards established pursuant to section 22-51-2, Code of Alabama 1975, community mental health centers, associations for retarded

citizens and community substance abuse programs certified by the Alabama Department of Mental Health and Mental Retardation that provide services for the treatment and care of individuals with mental or emotional illnesses, mental retardation, alcoholism or drug addiction.

“‘Oversight Committee’ means the mental health capital outlay oversight committee created in Section 22-50-25 of the Code of Alabama 1975.

“‘Permitted Investments’ means United States Securities, certificates of deposit fully secured by United States Securities and shall include investments in such obligations of the United States of America or its agencies under a repurchase agreement.

“‘United States Securities’ means direct general obligations of the United States of America (including obligations of the state and local government series) and the obligations of any other agency or corporation which has been or may hereafter be created by or pursuant to an act of the Congress of the United States as an agency or instrumentality thereof, the bonds, debentures, participation certificates or notes of which are unconditionally guaranteed by the United States of America.

“‘Retirement Systems of Alabama’ means the state employees’ retirement system created pursuant to chapter 27 of Title 36, Code of Alabama 1975, and the teachers’ retirement system created pursuant to chapter 25 of Title 16, Code of Alabama 1975.

“The definitions hereinabove set forth shall be deemed applicable whether the words defined are used in the singular or the plural. Any pronoun or pronouns used herein shall be deemed to include both the singular and the plural and to cover all genders.

“Section 7. The Authority shall have the following powers among others specified in this act:

“(1) To have succession by its corporate name until dissolved as provided in this act;

“(2) To sue and be sued and to prosecute and defend, at law or in equity, in any court having jurisdiction of the subject matter and of the parties thereto;

“(3) To have and to use a corporate seal and to alter the same at pleasure;

“(4) To make and alter all needful bylaws, rules and regulations for the transactions of the Authority’s business and the control of its property and affairs;

“(5) To provide for the acquisition, construction, installation, equipping, operation and maintenance of mental health facilities, including the equipping and improvement of existing mental health facilities;

“(6) To receive, take and hold by sale, gift, lease, devise or otherwise, real and personal property of every description, and to manage the same;

“(7) To acquire by purchase, gift, or any other lawful means, and to transfer, convey or cause to be conveyed to the state, any real, personal or mixed property;

“(8) To borrow money and issue its bonds in evidence thereof subject to the provisions of this act;

“(9) To anticipate by the issuance of its bonds the receipt of the revenues herein appropriated and pledged, all in the manner hereinafter provided;

“(10) As security for payment of the principal of and the interest on its bonds, to pledge the proceeds of the appropriation and pledge herein provided for and any funds or revenues from which its bonds may be made payable and to arrange for and provide such additional security for its bonds, including letters of credit, bond insurance policies, surety bonds, all as the board of directors shall determine to be necessary or desirable;

“(11) To make and enter into such contracts, leases, agreements and other actions as may be necessary or desirable to accomplish any corporate purpose and to exercise any power necessary for the accomplishment of the purposes of the Authority or incidental to the powers expressly set out herein;

“(12) To appoint and employ such attorneys, accountants, financial advisors, underwriters, trustees, depositories, registrars, fiscal agents and other advisors, agents and independent contractors as may, in the judgment of the directors, be necessary or desirable; provided that in selecting and engaging the services of such attorneys (including, without limitation, bond counsel and counsel to the Authority), accountants, financial advisors, underwriters and other advisors, agents or contractors, whether in connection with an issue or series of bonds or any ongoing matters of the Authority, the Authority shall in every case request proposals from qualified parties offering such services by publishing a request for proposals once a week for two consecutive weeks in newspapers published or having a general circulation in the cities of Birmingham, Montgomery, Huntsville and Mobile, shall fully and fairly review all of such proposals, and shall award such engagement to the proposing party in each case whose proposal is most advantageous to the state; and

“(13) To enter into any necessary financial instruments, or obligations, or both, of the Retirement Systems of Alabama in order to provide financing for projects of the Authority; provided further that principal and interest payments on any such instrument or obligation shall be payable solely from such funds as may from time to time be appropriated for the use and support of the Department of Mental Health and Mental Retardation, including the taxes appropriated and pledged in Section 16 of Act 88-475, as amended; provided further that any short-term securities developed between said Authority and the Retirement Systems of Alabama for construction purposes shall bear an interest rate equal to other commercial paper purchases of the Retirement System and further any intermediate or long-term securities shall bear an interest rate equal to or greater than the actuarial interest rate assumption and not less than 50 basis points above comparable U.S. Treasury Bonds.

“Section 16. For the purpose of providing funds to enable the Authority to pay at their respective maturities the principal of and interest on any bonds issued by it under the provisions of this article and to accomplish the objects of this article, there are hereby irrevocably pledged to such purpose and there are hereby appropriated so much as may be necessary for such purpose of (a) the receipts from the tax levied by sections 40-25-2 and 40-25-41 and required to be distributed to the Authority in accordance with the provisions of section 40-25-23 and, (b) to the extent that the receipts from said tax shall be insufficient for such purpose, the receipts from the tax levied by House Bill 351, First Special Session, 1988, that are required to be distributed to the Authority pursuant to the provisions of House Bill 351, First Special Session, 1988. All moneys hereby appropriated and pledged

shall constitute a sinking fund for the purpose of paying the principal of (premium, if any) and the interest on the bonds herein authorized."

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

On motion of Senator deGraffenried, further consideration of the Bill, S. B. 201, and pending substitute, was postponed subject to the call of the Chair.

THE BILL:

S. 98. To amend Section 5-19-4, Code of Alabama 1975, relating to consumer finance, so as to require actuarial method of computation on consumer loans and consumer credit sales with an original term of more than 61 months and to clarify method of refund in all other cases.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 26; Nays 0.

Yeas:

Senators:	Cabaniss	Foshee	Manley
Amari	Campbell	Goodwin	Mitchem
Bailey	Corbett	Hale	Parsons
Barron	Covington	Hand	Preuitt
Bedsole	deGraffenried	Holmes	Sanders
Bennett	Denton	Horn	Smith (B)
Bishop	Dixon	Langford	

—26

Nays: —0

THE BILL:

S. 125. To provide for the method of filing applications for allocations of a portion of the "State Ceiling" applicable to tax-exempt bonds; to establish expiration and reversion dates for allocation of "State Ceiling" and conditions subsequent to such allocations; to allocate the entire "State Ceiling" to the State, subject to redistribution by the State Industrial Development Authority; to reserve certain portions of the "State Ceiling" for the use and benefit of Alabama Housing Finance Authority and Alabama Higher Education Loan Corporation; to provide for the allocation of portions of the "State Ceiling" to issuers of small issue bonds for manufacturing facilities and for exempt facility bonds and for the allocation of a portion of the "State Ceiling" at the discretion of the State Industrial Development Authority; to provide a procedure for carryforward allocations; to establish an effective date; to authorize the State Industrial Development Authority to adopt rules and regulations governing the making of allocations; and to designate the president of the State Industrial Development Authority as the State official authorized to make certain certifications required under the Internal Revenue Code of 1986, as amended.

was taken up.

On motion of Senator Hand, further consideration of the Bill was postponed subject to the call of the Chair.

FURTHER CONSIDERATION OF S. B. 201

The Senate proceeded to further consideration of the Bill, S. B. 201. The question was on the substitute offered by Senator deGraffenried.

Senator Bedsole offered the following amendment to the substitute for the Bill, S. B. 201, to-wit:

AMENDMENT TO S. B. 201

To amend Substitute to (S 201) on page 5, line 17 after the word Bonds. add the following:

50% of all funds expended for facilities provided for by the Alabama Mental Health Finance Authority, under the provisions of Act 88-475, inclusive of any and all amendments to such Act, shall be designated for community facilities as defined within the Act.

Which was adopted.

And said substitute, as thus amended, was then adopted.

Yeas 26; Nays 0.

Yeas:

Senators:	Campbell	Foshee	Manley	
Amari	Corbett	Goodwin	Menton	
Bailey	Covington	Hale	Mitchem	
Barron	deGraffenried	Hand	Preuitt	
Bedsole	Denton	Holmes	Sanders	
Bennett	Dial	Horn	Smith (B)	
Cabaniss	Dixon	Langford		—26

Nays: —0

And said Bill, S. B. 201, as thus amended by the substitute, as amended, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 28; Nays 0.

Yeas:

Senators:	Corbett	Foshee	Manley	
Amari	Covington	Goodwin	Menton	
Bailey	deGraffenried	Hale	Mitchem	
Barron	Denton	Hand	Parsons	
Bedsole	Dial	Holmes	Preuitt	
Bennett	Dixon	Horn	Sanders	
Cabaniss	Drinkard	Langford	Smith (B)	
Campbell				—28

Nays: —0

FURTHER CONSIDERATION OF S. B. 204

The Senate proceeded to further consideration of the Bill, S. B. 204. The question was on the Committee substitute.

And said substitute was then adopted.

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Yeas 25; Nays 0.

Yeas:

Senators:	Campbell	Hand	Mitchem
Amari	Dial	Hilliard	Preuitt
Barron	Drinkard	Holmes	Rice
Bedsole	Ellis	Horn	Sanders
Bennett	Foshee	Langford	Smith (B)
Bishop	Goodwin	Manley	Smith (J)
Cabaniss	Hale		

—25

Nays: —0

And said Bill, S. B. 204, as thus amended by the substitute, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Campbell	Hand	Mitchem
Amari	Dial	Hilliard	Preuitt
Barron	Drinkard	Holmes	Rice
Bedsole	Ellis	Horn	Sanders
Bennett	Foshee	Langford	Smith (B)
Bishop	Goodwin	Manley	Smith (J)
Cabaniss	Hale		

—25

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Penry, Marietta, Zoghby, and Box:

H. 240. To amend Section 41-9-341, Code of Alabama, 1975, which relates to reimbursement of expenses of members of the USS Alabama Battleship Commission, so as to allow members to be reimbursed for actual expenses incurred from funds of the Commission and to amend Section 41-9-349, Code of Alabama, 1975, which relates to the powers of the USS Alabama Battleship Commission, so as to authorize the Commission to lease certain of its lands in furtherance of the purposes for which the Commission was organized.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 240—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Campbell:

H. 6. Relating to elections; to define the meaning of terms used in this act; to provide for the designation and organization of a principal campaign committee by each candidate for election to state or local office; to designate the Secretary of State and the Judge of Probate as the recipients of reports and statements required to be filed by this act; to provide for the registration of political committees, including the principal campaign committee of each candidate; to provide for the reporting of contributions received and expenditures made by political committees; to provide for the designation of campaign depositories; to delineate the duties of the Secretary of State and Judge of Probate; to provide for the disbursement of campaign contributions in excess of expenditures; to provide for proper identification of campaign advertising; to prohibit the intimidation of voters, certain expenditures to influence voting, the publication or distribution of certain political statements, contributions in the name of another, fraudulent misrepresentations of campaign authority, and coercion of contributions; to provide penalties for the violation of the provisions of this act; to require that certificates of election be withheld under certain circumstances; and to repeal chapter 22 of Title 17 of the Code of Alabama 1975.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 6—to the Committee on Rules

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Biddle:

H. 342. To amend Act No. 88-475, H. 747, 1988 Regular Session, which act creates the Alabama Mental Health Finance Authority and provides for mental health projects of the Authority, and financing of such projects; so as to authorize the Authority to enter into any necessary financial instruments or obligations with the Retirement Systems of Alabama in order to secure financing for the funding of projects of the Authority; and to provide that tax proceeds derived from sections 40-2-1 and 40-25-41, Code of Alabama 1975, or any subsequent tobacco tax, shall be primarily pledged for the payment of principal and interest on any said financing agreement.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 342—to the Committee on State Development and Tourism

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Hogan:

H. 337. To authorize the board of directors of the Alabama Mining Museum to erect signs on the rights-of-way of public roads and highways giving directions to the location of the museum.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 337—to the Committee on Natural Resources

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Rep. Bryant (With Notice and Proof):

H. 308. Relating to Perry County; authorizing the county commission to levy a one percent (1%) sales tax, a three cent (\$0.03) tobacco tax, and a two cent (\$0.02) gasoline tax, providing for the distribution of said taxes and for penalties in violation of this act.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 308, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Rep. Britnell (With Notice and Proof):

H. 346. Relating to Franklin County; amending Act No. 88-562, S. 667, 1988 Regular Session (Acts 1988, p. 881), levying a county privilege, license or excise tax on the sale, distribution, storage, use or other consumption of tobacco and certain tobacco products in such county, so as to provide further for the collection and enforcement of the tax; and for the distribution of the proceeds therefrom.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 346, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,
Clerk.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 308 and 346—to the Committee on Local Legislation No. 1

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 148. To authorize the State Department of Veterans' Affairs to provide for the operation of a state veterans' home or homes; to provide for the administration of such homes; to authorize the receipt and use of federal and other funds for such purpose; to provide for the powers and duties of the State Board of Veterans' Affairs regarding said veterans' home; to create a veterans' home trust fund; to provide certain admission and discharge policy, to require certain reports and budget requests, to specify reimbursement policy; and to provide that certain certification requirements are met.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 35. To amend Section 5-13A-2, Code of Alabama 1975, relating to banks and banking, to add the State of Texas to the states within the definition of "region" covered by the Alabama Regional Reciprocal Banking Act of 1986; to provide for severability of the provisions of this Act; to provide for the amendment of conflicting laws to the extent of such conflict; and to provide an effective date.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 52. To amend Sections 9-11-44 and 9-11-53, Code of Alabama 1975, relating to annual resident hunting and fishing licenses, respectively, so as

to increase the license fees, to further provide for a hunting license exemption for certain residents, to delete a provision for a county fishing license, to increase the fishing license issuance fee, to further provide for an exemption relating to certain fishing by certain county residents, to provide for an exemption for certain persons fishing pursuant to Act No. 88-578, to increase the penalties in Section 9-11-44, and to authorize the issuance of licenses on a combination basis.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 276. To provide for the department of public safety to furnish criminal history record searches of convictions within the state of Alabama whenever allowed by law and to establish a fee for providing the same.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 159. To amend Section 32-6-61, Code of Alabama 1975, as amended, to provide that the special license tag or license plate fees provided by Section 32-6-150(a) shall not be prorated, but shall be paid on an annual basis.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Joint Resolution:

H. J. R. 112. DESIGNATING NOVEMBER 14, 1988, AS "OPERATION BLESSING DAY" IN ALABAMA.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. Starkey, Goodwin, and Hamilton:

H. J. R. 77. COMMENDING WILLIAM B. DUNCAN OF FLORENCE, ALABAMA, FOR DISTINGUISHED SERVICE TO LAUDERDALE COUNTY.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Goodwin, the Rules were suspended and the Resolution, H. J. R. 77, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Thomas:

H. 22. To amend Sections 34-33-1, 34-33-2, 34-33-3, 34-33-4, 34-33-5, 34-33-6 and 34-33-10 of the Code of Alabama 1975, relating to fire protection sprinkler systems, so as to redefine such systems and to further regulate the fire protection sprinkler system business in this state.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 22—to the Committee on Small Business

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 112. DESIGNATING NOVEMBER 14, 1988, AS "OPERATION BLESSING DAY" IN ALABAMA.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 159. To amend Section 32-6-61, Code of Alabama 1975, as amended, to provide that the special license tag or license plate fees provided by Section 32-6-150(a) shall not be prorated, but shall be paid on an annual basis.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 52. To amend Sections 9-11-44 and 9-11-53, Code of Alabama 1975, relating to annual resident hunting and fishing licenses, respectively, so as to increase the license fees, to further provide for a hunting license exemption for certain residents, to delete a provision for a county fishing license, to increase the fishing license issuance fee, to further provide for an exemption relating to certain fishing by certain county residents, to provide for an exemption for certain persons fishing pursuant to Act No. 88-578, to increase the penalties in Section 9-11-44, and to authorize the issuance of licenses on a combination basis.

Also:

H. 276. To provide for the department of public safety to furnish criminal history record searches of convictions within the state of Alabama whenever allowed by law and to establish a fee for providing the same.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

RESOLUTION

Senator Amari offered the following Senate Resolution, to-wit:

S. R. 55. COMMENDING RUBIN MORRIS HANAN OF MONTGOMERY, ALABAMA, FOR OUTSTANDING ACHIEVEMENT AND SERVICE TO COMMUNITY, STATE AND NATION.

Which was filed.

BILLS ON THIRD READING RESUMED

THE BILL:

S. 8. To amend section 13A-6-4, Code of Alabama 1975, to provide that criminally negligent homicide is a Class C felony.

was taken up.

On motion of Senator Smith (J), further consideration of the Bill was postponed subject to the call of the Chair.

THE BILL:

S. 53. Authorizing and empowering the state highway department to set speed limits in urban and rural construction zones along state and interstate highways.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 26; Nays 0.

Yeas:

Senators:	Campbell	Goodwin	Menton	
Amari	Corbett	Hale	Mitchem	
Bailey	Covington	Hand	Parsons	
Barron	deGraffenried	Holmes	Sanders	
Bedsole	Denton	Horn	Smith (B)	
Bennett	Ellis	Langford	Smith (J)	
Cabaniss	Foshee	Manley		—26

Nays:

—0

THE BILL:

S. 126. To amend Section 22-27-5, Code of Alabama 1975, as amended, relating to solid waste disposal fees, permits and bonds, so as to prescribe certain minimum surety bond requirements for out-of-state shippers of household garbage, in order to protect the health, safety and welfare of the citizens of this state.

was taken up.

Senator Bennett offered the following amendment to the Bill, S. B. 126, to-wit:

AMENDMENT TO S. B. 126

Amend S. B. 126 on page 3, line 6 by deleting section “(d)” in its entirety and substituting in lieu thereof the following:

“(d) No Permit for transportation of garbage by out-of-state transporters, for disposal of such garbage in a sanitary landfill in this state, shall be issued unless financial assurance is posted by such transporter with the Health Department.

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The financial assurance shall be in an amount not less than \$250,000 and must guarantee that such garbage does not contain any regulated hazardous waste, infectious waste, or explosive materials or debris. The financial assurance shall be provided in accordance with acceptable financial assurance instruments which include but are not limited to an escrow account, performance bond, or letter of credit. The Health Department shall promulgate regulations specifying the terms and conditions of financial assurance instruments, as appropriate."

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Campbell	Hale	Menton
Amari	deGraffenried	Hand	Mitchem
Bailey	Denton	Holmes	Parsons
Barron	Drinkard	Horn	Sanders
Bedsole	Ellis	Langford	Smith (B)
Bennett	Foshee	Manley	Smith (J)
Cabaniss	Goodwin		

—25

Nays: —0

And said Bill, S. B. 126, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 24; Nays 0.

Yeas:

Senators:	Campbell	Foshee	Manley
Amari	Corbett	Goodwin	Menton
Bailey	deGraffenried	Hale	Parsons
Barron	Denton	Holmes	Sanders
Bedsole	Drinkard	Horn	Smith (B)
Bennett	Ellis	Langford	Smith (J)
Cabaniss			

—24

Nays: —0

THE BILL:

H. 116. To authorize advance payments for the expenses of members and employees of local boards of education and to prescribe the methods for such advance expenditures.

was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Senators:	Campbell	Ellis	Manley
Amari	Corbett	Foshee	Menton
Bailey	Covington	Hale	Mitchem
Barron	deGraffenried	Hand	Parsons
Bedsole	Denton	Holmes	Sanders
Bennett	Drinkard	Langford	Smith (J)
Cabaniss			

—24

Nays: —0

FURTHER CONSIDERATION OF S. B. 57, AS AMENDED**THE BILL:**

S. 57. Proposing an amendment to Amendment No. 339 to the Constitution of Alabama of 1901, relating to sessions of the Legislature, so as to provide for a split annual session with only budgets, appropriations and revenue bills being considered during the first part; and repealing Amendment No. 448 relating to the paramount duty of the Legislature to make basic appropriations at regular sessions.

as amended, having been postponed on the Fifth Legislative Day, was again taken up. The question was on the substitute offered by Senators Cabaniss and Bennett, for the substitute No. 2 offered by Senators Foshee and Goodwin, which said substitutes are set out in the Journal of the Senate for the Fifth Legislative Day.

On motion of Senator Foshee, said Cabaniss-Bennett substitute was laid on the table.

Yeas 18; Nays 5.

Yeas:

Senators:	Covington	Goodwin	Manley	
Amari	deGraffenried	Hale	Menton	
Bailey	Denton	Hand	Parsons	
Bedsole	Drinkard	Holmes	Smith (B)	
Campbell	Foshee	Langford		—18

Nays:

Senators:	Bennett	Corbett	Dixon	
Barron	Cabaniss			—5

Senators Foshee and Goodwin offered the following amendment to the Foshee and Goodwin substitute No. 2 for the Bill, S. B. 57, to-wit:

AMENDMENT TO S. B. 57, AS AMENDED

Amend the Foshee-Goodwin substitute No. 2 for Senate Bill No. 57 Page 3 Line 2, by striking out "January 1, 1989"

and inserting in lieu thereof

"the adoption of this amendment as provided for in Section 2,"

Which was adopted.

And said Foshee-Goodwin substitute No. 2, as thus amended, was then adopted.

Yeas 26; Nays 0.

Yeas:

Senators:	Campbell	Foshee	Menton	
Amari	Corbett	Goodwin	Mitchem	
Bailey	Covington	Hale	Parsons	
Barron	deGraffenried	Hand	Rice	
Bedsole	Denton	Holmes	Smith (B)	
Bennett	Dixon	Langford	Smith (J)	
Cabaniss	Drinkard	Manley		—26

Nays:

—0

Senator Parsons offered the following amendment to the Bill, S. B. 57, as amended by the substitute, as amended, to-wit:

AMENDMENT TO S. B. 57, AS AMENDED

Amend Senate Bill No. 57, as amended, Page 1 Line 11, by inserting after the word legislature, "and the Lt. Gov."

line 25 after the word legislature "and the Lt. Gov."

Page 2 of 4 Line 30 after the word legislature, "and the Lt. Gov."

Page 4 of 4 Line 3 after the word legislature, "and the Lt. Gov."

Which was lost.

Yeas 1; Nays 24.

Yea: Senator Parsons

—1

Nays:

Senators:	Campbell	Goodwin	Menton
Amari	Corbett	Hale	Mitchem
Bailey	Covington	Hand	Preuitt
Barron	Denton	Holmes	Rice
Bedsole	Drinkard	Langford	Smith (B)
Bennett	Foshee	Manley	Smith (J)
Cabaniss			

—24

Senator Parsons then offered the following amendment No. 2 to the Bill, S. B. 57, as amended by the substitute, as amended, to-wit:

AMENDMENT NO. 2 TO S. B. 57, AS AMENDED

Amend S. B. 57, as amended, as follows:

On page 1, line 31, delete the period and insert the following language: and provides further for the legislative process.

On page 4, between lines 10 and 11, insert the following language:

"(H) All other amendments and provisions to this constitution to the contrary notwithstanding, when the legislature convenes in its organizational session at the outset of each quadrennium, the Senate shall organize itself without interference from the executive branch in such a manner that it shall elect from its membership a president who shall preside over its proceedings, make appointments to its committees and assign legislation to its committees."

Which was lost.

Yeas 4; Nays 23.

Yeas:

Senators:	Corbett	Hilliard	Parsons
Amari			

—4

Nays:

Senators:	Campbell	Goodwin	Menton	
Bailey	Covington	Hale	Mitchem	
Barron	Denton	Hand	Preuitt	
Bedsole	Dixon	Holmes	Rice	
Bennett	Drinkard	Langford	Smith (B)	
Cabaniss	Foshee	Manley	Smith (J)	—23

And said Bill, S. B. 57, as amended by the substitute, as amended, was read a third time at length as required by the Constitution and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 25; Nays 1.

Yeas:

Senators:	Campbell	Foshee	Menton	
Amari	Corbett	Goodwin	Mitchem	
Bailey	Covington	Hale	Parsons	
Barron	deGraffenried	Holmes	Preuitt	
Bedsole	Denton	Langford	Smith (B)	
Bennett	Dixon	Manley	Smith (J)	
Cabaniss	Drinkard			—25

Nay: Senator Hilliard —1

THE BILL:

H. 42. To provide for the creation of a special account to which the Legislature shall appropriate certain funds to prevent proration of the Alabama Special Educational Trust Fund; to prescribe criteria and procedures for withdrawals from such account in years of proration or in emergency situations as may be determined by the Legislature; to make annual appropriations to such account until a certain amount is established and to provide that such amount shall be maintained in separate trust from year to year except during years of proration in the Alabama Special Educational Trust Fund and in emergencies; to prescribe procedures and criteria for reimbursement to such account after withdrawals; to provide for an effective date; and to repeal conflicting provisions.

was taken up.

Senator Manley offered the following substitute for the Bill, H. B. 42, to-wit:

SUBSTITUTE FOR H. B. 42

A BILL TO BE ENTITLED AN ACT

To provide for the creation of a special account to which the Legislature shall appropriate certain funds to prevent proration in the Alabama Special Educational Trust Fund; to prescribe criteria and procedures for withdrawals from such account in years of proration or in emergency situations as may be determined by the Legislature; to make annual appropriations to such account until a certain amount is established and to provide that such amount shall be maintained in separate trust from year to year except during years of proration in the Alabama Special Educational Trust Fund and in

emergencies; to prescribe procedures and criteria for reimbursement to such account after withdrawals; to provide for the retention of accrued interest; to provide for an effective date; and to repeal conflicting provisions.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. SHORT TITLE. This Act shall be known as The Proration Prevention Act of 1988.

Section 2. ESTABLISHMENT OF PRORATION PREVENTION ACCOUNT.

There is hereby created and shall be a distinct and separate fund established within the state treasury, to be known as the Proration Prevention Account, to which monies shall be deposited as provided herein for the purpose of preventing proration of funds which have been appropriated by the Legislature from the Alabama Special Educational Trust Fund. Monies which accrue in the Proration Prevention Account shall not be subject to appropriation except as provided in this Act.

Section 3. APPROPRIATIONS. The following monies are hereby appropriated to the Proration Prevention Account:

(a) The twenty-one million dollars (\$21,000,000) appropriated in the Alabama Special Educational Trust Fund Appropriations Act for the fiscal year beginning on October 1, 1988;

(b) Eight million dollars (\$8,000,000) shall thereafter be appropriated from the Alabama Special Educational Trust Fund to said account at the end of each succeeding fiscal year (except during years of actual proration) until said account shall have attained an amount of at least seventy-five million dollars (\$75,000,000) including accrued interest. All monies appropriated to and contained in the Proration Prevention Account shall be maintained in said account from year to year except as provided in this Act. The appropriations provided in this subsection shall be allocated before any conditional appropriation.

Section 4. WITHDRAWALS. Money in the Proration Prevention Account may be withdrawn only:

(a) To prevent proration in the Alabama Special Educational Trust Fund. The Governor of the State of Alabama must certify to the State Comptroller and notify the Legislature that proration would occur in the Alabama Special Educational Trust Fund before funds could be withdrawn. Upon said certification by the Governor, withdrawals may be executed under the direction of the Governor; however, withdrawals must be limited to the amount of the anticipated proration and funds allotted only to the extent necessary to avoid proration of appropriations in the Alabama Special Educational Trust Fund, or

(b) In emergency situations as determined by the Legislature and then only by a joint resolution with a recorded vote of at least two-thirds of the membership of each legislative chamber.

Section 5. REPAYMENT. Monies withdrawn under the provisions of Section 4 of this Act shall be repaid in full during the next succeeding fiscal year, or repaid through an appropriation of eight million dollars (\$8,000,000) per fiscal year, or as may be otherwise provided by the Legislature until said account is restored to a minimum of seventy-five million dollars (\$75,000,000). Repayment of funds may be suspended during those fiscal years in which

the Alabama Special Educational Trust Fund is actually prorated. Repayment of monies withdrawn from said account shall not be required during a fiscal year in which said repayment will cause proration.

Section 6. INTEREST. Any monetary interest which accrues in the Proration Prevention Account shall be retained in said account from year to year and shall be subject only to the provisions of this Act.

Section 7. REVERSION TO TRUST FUND. Any amount of money in the Proration Prevention Account which is in excess of 10 percent of the preceding year's Alabama Special Educational Trust Fund for the support and maintenance of public education.

Section 8. SEVERABILITY. The provisions of this Act are severable. If any part of this Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 9. REPEALER. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 10. EFFECTIVE DATE. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

Which was adopted.

Yeas 28; Nays 0.

Yeas:

Senators:	Covington	Hand	Mitchem	
Amari	deGraffenried	Hilliard	Parsons	
Bailey	Denton	Holmes	Preuitt	
Barron	Dixon	Horn	Rice	
Bedsole	Drinkard	Langford	Sanders	
Bennett	Goodwin	Manley	Smith (B)	
Cabaniss	Hale	Menton	Smith (J)	
Campbell				—28

Nays: —0

And said Bill, H. B. 42, as thus amended by the substitute, was read a third time at length and passed.

Yeas 30; Nays 0.

Yeas:

Senators:	Campbell	Hale	Mitchem	
Amari	Covington	Hand	Parsons	
Bailey	deGraffenried	Hilliard	Preuitt	
Barron	Denton	Holmes	Rice	
Bedsole	Dixon	Horn	Sanders	
Bennett	Drinkard	Langford	Smith (B)	
Bishop	Foshee	Manley	Smith (J)	
Cabaniss	Goodwin	Menton		—30

Nays: —0

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills and Senate Joint Resolutions, with the original Senate Bills and Senate Joint Resolutions, respectively, and finds same correctly enrolled, to-wit:

S. 35. To amend Section 5-13A-2, Code of Alabama 1975, relating to banks and banking, to add the State of Texas to the states within the definition of "region" covered by the Alabama Regional Reciprocal Banking Act of 1986; to provide for severability of the provisions of this Act; to provide for the amendment of conflicting laws to the extent of such conflict; and to provide an effective date.

Also:

S. 36. Relating to Talladega County, requiring the inspection of all asphalt plants eligible to bid on the sale of asphalt plant mix to the county or any municipality within the county by the highway department.

Also:

S. 38. Relating to Talladega County; to provide for the mailing address of the grantees to appear on all conveyances of real property recorded in the probate office of such county.

Also:

S. 148. To authorize the State Department of Veterans' Affairs to provide for the operation of a state veterans' home or homes; to provide for the administration of such homes; to authorize the receipt and use of federal and other funds for such purpose; to provide for the powers and duties of the State Board of Veterans' Affairs regarding said veterans' home; to create a veterans' home trust fund; to provide certain admission and discharge policy, to require certain reports and budget requests, to specify reimbursement policy; and to provide that certain certification requirements are met.

Also:

S. J. R. 42. COMMENDING ASU RUNNING BACK, BRAD BAXTER, FOR OUTSTANDING ACHIEVEMENT.

Also:

S. J. R. 49. NAMING THE ACT WHICH HOUSE BILL 233 BECOMES "THE STEVE HETTINGER DRUG ENFORCEMENT ACT".

Also:

S. J. R. 53. COMMENDING LLOYD G. MCCLENNY FOR DISTINGUISHED SERVICE TO THE SCHOOLS OF COOSA COUNTY, ALABAMA.

McDOWELL LEE,
Secretary.

SIGNING OF BILLS AND RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of

a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills and Senate Joint Resolutions, the titles of which are set out in the foregoing report from the Committee on Rules.

RECESS

At 6 o'clock P.M., on motion of Senator deGraffenried, the Senate took a recess until 8 o'clock this evening.

Yeas 25; Nays 3.

Yeas:

Senators:	Cabaniss	Dixon	Langford	
Amari	Campbell	Ellis	Manley	
Bailey	Corbett	Foshee	Menton	
Barron	Covington	Hale	Parsons	
Bedsole	deGraffenried	Hand	Preuitt	
Bennett	Denton	Horn	Sanders	
Bishop	Dial			—25

Nays:

Senators:	Goodwin	Hilliard	Mitchem	—3
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The recess period having expired, the Senate was called to order by Lieutenant Governor Folsom. A quorum of the Senate was present.

BILLS ON THIRD READING RESUMED

Senator Dixon requested and received permission to suspend the Rules in order to bring up the following Bill:

S. 150. To amend sections 16-33B-1, 16-33B-3 and 16-33B-4, Code of Alabama 1975, relating to the Alabama guaranteed student loan program, so as to define approved lender, student loan, Federal Student Loan Law and eligible institution; to provide program administration in accordance with the Federal Student Loan Law; to provide for basic powers and duties of the Alabama Commission on Higher Education in accordance with the Federal Student Loan Law; to promote the availability of the Alabama guaranteed student loan program; and to service loans.

And said Bill, S. B. 150, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 22; Nays 0.

Yeas:

Senators:	Corbett	Hale	Parsons	
Bailey	Covington	Hand	Preuitt	
Bedsole	deGraffenried	Hilliard	Rice	
Bennett	Denton	Langford	Sanders	
Bishop	Dial	Manley	Smith (J)	
Cabaniss	Dixon	Menton		—22

Nays: —0

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Senator Dixon then requested and received permission to suspend the Rules in order to bring up the following Bill:

S. 151. To amend Sections 16-6A-12 and 16-6A-13, Code of Alabama 1975, which provide for the Educational Reform Act of 1984, so as to provide further for eligibility for and repayment of scholarship loans for teacher education programs in critical needs areas.

And said Bill, S. B. 151, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 26; Nays 0.

Yeas:

Senators:	Corbett	Goodwin	Parsons
Bailey	Covington	Hale	Preuitt
Barron	deGraffenried	Hand	Rice
Bedsole	Denton	Hilliard	Sanders
Bennett	Dial	Langford	Smith (B)
Bishop	Dixon	Manley	Smith (J)
Cabaniss	Foshee	Menton	

—26

Nays:

—0

RESOLUTION

Senator Dial offered the following Senate Resolution, to-wit:

S. R. 56. COMMENDING THE OFFICERS AND MEMBERS OF THE BOARD OF DIRECTORS OF THE CHAMBERS COUNTY MUSEUM.

Which was filed.

FURTHER CONSIDERATION OF S. B. 8

The Senate proceeded to further consideration of the Bill, S. B. 8.

Senator Sanders offered the following amendment to the Bill, S. B. 8, to-wit:

AMENDMENT TO S. B. 8

Amend Senate Bill 8, Page 1, Lines 28 and 29, by striking out all of lines 28 and 29 and by inserting in lieu thereof the following:

“(c) Criminally negligent homicide is a Class A misdemeanor, except in cases in which said criminally negligent homicide is caused by the driver of a motor vehicle who is driving in violation of the provisions of §32-5A-191, Code of Alabama 1975; in such cases criminally negligent homicide is a Class C felony.”

Which was adopted.

Yeas 28; Nays 0.

Yeas:

Senators:	Covington	Goodwin	Menton
Bailey	deGraffenried	Hale	Mitchem
Barron	Denton	Hand	Preuitt
Bedsole	Dial	Hilliard	Rice
Bennett	Dixon	Horn	Sanders
Bishop	Drinkard	Langford	Smith (B)
Cabaniss	Foshee	Manley	Smith (J)
Corbett			

—28

Nays:

—0

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And said Bill, S. B. 8, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 27; Nays 0.

Yeas:

Senators:	Covington	Hale	Mitchem	
Bailey	deGraffenried	Hand	Parsons	
Bedsole	Denton	Hilliard	Preuitt	
Bennett	Dial	Horn	Rice	
Bishop	Dixon	Langford	Sanders	
Cabaniss	Foshee	Manley	Smith (B)	
Corbett	Goodwin	Menton	Smith (J)	—27

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 77. COMMENDING WILLIAM B. DUNCAN OF FLOR-
ENCE, ALABAMA, FOR DISTINGUISHED SERVICE TO LAUDERDALE
COUNTY.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 116. To authorize advance payments for the expenses of members and employees of local boards of education and to prescribe the methods for such advance expenditures.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

BILLS ON THIRD READING RESUMED

THE BILL:

H. 224. To amend Section 36-1-6.1 of the Code of Alabama 1975, relating to insurance coverage for state employees or agents of the state, so as to provide that such coverage includes individuals serving as foster parents approved by the Department of Human Resources.

was read a third time at length and passed.

Yeas 26; Nays 0.

Yeas:

Senators:	Corbett	Goodwin	Menton
Bailey	Covington	Hale	Mitchem
Barron	deGraffenried	Hand	Preuitt
Bedsole	Denton	Hilliard	Rice
Bennett	Dial	Horn	Sanders
Bishop	Dixon	Langford	Smith (B)
Cabaniss	Foshee	Manley	

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Nays: —0

THE BILL:

S. 189. To further amend Section 40-3-7, Code of Alabama 1975, as amended, relating to term of service of schedule and compensation for members of the several county boards of equalization, so as to further provide for certain of those members whose counties have had an increase in population and total taxable property, 196,966 inhabitants and in excess of \$862,000, respectively, based on the latest available official figures; and to provide for the effective date.

was taken up.

The Standing Committee on Governmental Affairs reported the following amendment to the Bill, S. B. 189, to-wit:

AMENDMENT TO S. B. 189

Amend Senate Bill No. 189 Page 1 Line 16 and Line 29 by striking out "\$862,000" and inserting in lieu thereof the following: "\$862,000,000"

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Senators:	Corbett	Goodwin	Menton
Bailey	Covington	Hale	Mitchem
Bedsole	Denton	Hand	Preuitt
Bennett	Dial	Horn	Rice
Bishop	Dixon	Langford	Sanders
Cabaniss	Foshee	Manley	Smith (B)
Campbell			

—24

Nays: —0

And said Bill, S. B. 189, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 24; Nays 0.

Yeas:

Senators:	Corbett	Foshee	Menton	
Bailey	Covington	Goodwin	Mitchem	
Bedsole	deGraffenried	Hale	Preuitt	
Bennett	Denton	Hand	Rice	
Bishop	Dial	Horn	Sanders	
Cabaniss	Dixon	Langford	Smith (B)	
Campbell				—24

Nays: —0

Senator Horn requested and received permission to suspend the Rules in order to bring up the following Bill:

S. 199. To amend Act No. 87-761 of the 1987 Regular Legislative Session as it amended Section 4 of Act No. 86-645 1st Special Session, 1986, concerning the repayment of funds transferred from Fund No. 305735 by said Act.

And said Bill, S. B. 199, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 23; Nays 0.

Yeas:

Senators:	Campbell	Dixon	Horn	
Amari	Corbett	Foshee	Langford	
Bailey	Covington	Goodwin	Manley	
Barron	deGraffenried	Hale	Mitchem	
Bedsole	Denton	Hand	Preuitt	
Cabaniss	Dial	Hilliard	Sanders	—23

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Rep. Slaughter (With Notice and Proof):

H. 172. To authorize the Jefferson County Board of Health to designate services rendered by the health department under its control for which fees may be charged and to establish the appropriate fee for each service; to authorize the Jefferson County Board of Health to charge and collect fees for services designated pursuant to this act; to provide that all fees established and collected pursuant to this act shall be retained and used by the Jefferson County Board of Health; to provide that all fees established and collected pursuant to this act shall not replace, but shall supplement and be in addition to, any and all federal, state and local funds otherwise provided to the Jefferson County Board of Health; to provide conditions applicable to the establishment or increase of fees authorized pursuant to this act, including the requirement of a public hearing and the right of the Jefferson County

Commission to disapprove the establishment or increase of any fee; to authorize the Jefferson County Board of Health to adopt and to alter rules and regulations for the implementation and administration of this act and to provide that fees charged pursuant to this act shall be established, modified and collected in accordance with such rules and regulations; to provide that fees for services shall not be charged to persons unable to pay and to provide for confidentiality in the determination of any person's ability to pay; and to repeal all laws or parts of laws in conflict with this act to the extent applicable to Jefferson County.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 172, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,
Clerk.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 172—to the Committee on Local Legislation No. 2

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Rep. Buskey (JE) (With Notice and Proof):

H. 291. Relating to Mobile County; providing for the compensation and payment of an additional salary for members of the county governing body, and to preserve certain Mobile County acts regarding salary and expense allowance for said members.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 291, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,
Clerk.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 291—to the Committee on Local Legislation No. 3

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Kvalheim:

H. 273. To amend Sections 16-6A-12 and 16-6A-13, Code of Alabama 1975, which provide for the Educational Reform Act of 1984, so as to provide further for the eligibility for and repayment of scholarship loans for teacher education programs in critical needs areas.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 273—to the Committee on Finance and Taxation

REPORT OF SECRETARY

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Bills and Senate Joint Resolutions delivered to the Governor, with the date and hour of delivery, to-wit:

S. J. R. 32

S. J. R. 44

Delivered to the Governor September 13, 1988, at 4:08 P.M.

S. B. 35

S. J. R. 42

S. B. 36

S. J. R. 49

S. B. 38

S. J. R. 53

S. B. 148

Delivered to the Governor September 13, 1988, at 5:45 P.M.

McDOWELL LEE,
Secretary of Senate.

SECRETARY'S REPORT

The foregoing report of the Secretary was read and ordered spread upon the Journal.

ADJOURNMENT

At 9:10 P.M., on motion of Senator Corbett, the Senate adjourned until Wednesday, September 14, 1988, at 11 o'clock A.M.

NINTH LEGISLATIVE DAY
WEDNESDAY, SEPTEMBER 14, 1988

The Senate met pursuant to adjournment, Lieutenant Governor Folsom presiding.

PRAYER

The Session was opened with prayer by the Reverend Jiles Williams, Pastor, New Providence Baptist Church, Montgomery, Alabama.

PLEDGE OF ALLEGIANCE

The Senators were led in the Pledge of Allegiance to the Flag of the United States of America by Mike Taylor, Jeff Davis High School, Montgomery, Alabama.

ROLL CALL

Present:

Senators:	Campbell	Figures	Menton
Amari	Corbett	Foshee	Mitchem
Bailey	Covington	Hale	Parsons
Barron	deGraffenried	Hand	Preuitt
Bedford	Denton	Holmes	Rice
Bedsole	Dial	Horn	Sanders
Bennett	Dixon	Langford	Smith (B)
Bishop	Drinkard	Manley	Smith (J)
Cabaniss	Ellis		

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JOURNAL

On motion of Senator deGraffenried, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

**REPORT OF COMMITTEE
ON RULES ON
REVISION OF THE JOURNAL**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Eighth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

BILL DRINKARD,
Chairperson.

COMMITTEE REPORT

On motion of Senator Drinkard, the foregoing report was concurred in and the Journal of the Senate for the Eighth Legislative Day was approved by the Senate.

LEAVE OF ABSENCE

On motion of Senator deGraffenried, leave of absence was granted Senators Goodwin and Hilliard for today.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Harper, Adams, Wright, and Fuller:

H. 27. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, for other functions of government, for interest on the public debt, and for capital outlay for the fiscal year ending September 30, 1989.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 27—to the Committee on Finance and Taxation

**REPORT OF
COMMITTEE ON RULES**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following engrossed Senate Bills with the original Senate Bills, respectively, and finds same correctly engrossed, to-wit:

S. 126. To amend Section 22-27-5, Code of Alabama 1975, as amended, relating to solid waste disposal fees, permits and bonds, so as to prescribe certain minimum surety bond requirements for out-of-state shippers of household garbage, in order to protect the health, safety and welfare of the citizens of this state.

Also:

S. 201. To amend Act 88-475, as amended, 1988 Regular Session, which act creates the Alabama Mental Health Finance Authority and provides for mental health projects of the Authority, and financing of such projects; so as to authorize the Authority to enter into any necessary financial instruments or obligations with the Retirement Systems of Alabama in order to secure financing for the funding of projects of the Authority; to provide that such financing shall be payable solely from the taxes appropriated and pledged in Section 16 of Act 88-475, as amended; and to amend Section 16 of Act 88-475, as amended, so as to appropriate and pledge as additional security for bonds authorized pursuant to Act 88-475, as amended, all or a portion of the proceeds of the tax levied in House Bill 351 as approved by the Alabama Legislature in the First Special Session, 1988.

Also:

S. 204. Relating to the city of Fort Payne, DeKalb County, Alabama; authorizing such city the rights to establish, purchase, construct, maintain

and operate a television cable service for their residents and within its corporate jurisdiction; authorizing the City of Fort Payne to utilize certain eminent domain powers within its jurisdiction with respect to the establishment, purchasing, constructing, maintaining and operation of a television cable service.

BILL DRINKARD,
Chairperson.

**REPORT OF
COMMITTEE ON RULES**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following engrossed Senate Bills with the original Senate Bills, respectively, and finds same correctly engrossed, to-wit:

S. 8. To amend section 13A-6-4, Code of Alabama 1975, to provide that criminally negligent homicide is a Class C felony.

Also:

S. 189. To further amend Section 40-3-7, Code of Alabama 1975, as amended, relating to term of service of schedule and compensation for members of the several county boards of equalization, so as to further provide for certain of those members whose counties have had an increase in population and total taxable property, 196,966 inhabitants and in excess of \$862,000,000 respectively, based on the latest available official figures; and to provide for the effective date.

BILL DRINKARD,
Chairperson.

**REPORT OF
COMMITTEE ON RULES**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following engrossed Senate Bill with the original Senate Bill, and finds same correctly engrossed, to-wit:

S. 57. Proposing an amendment to Amendment No. 448 of the Constitution of Alabama of 1901, as amended, which provides that the paramount duty of the legislature shall be to make basic appropriations at regular sessions so as to provide that the provision shall not take effect until the 16th legislative day of each regular session and it removes the provision allowing the legislature to pass a resolution (B.I.R.) suspending the provisions of this constitutional requirement.

BILL DRINKARD,
Chairperson.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Reps. Ford, Bowling, Layson, Hamilton, Grouby, White (L), Turner, Headley, Blakeney, Mikell, Junkins, Bugg, Flowers, Walker, Burke, Willis,

Moon, Hogan, Williams, Freeman, Richardson, White (F), Warren, Wright, Biddle, Davis, Harvey, Melton, Newton, Reed, Mathis, McClain, Carter, Black, and Laird:

H. 95. To provide further a salary increase for certain state employees and to appropriate funds therefor for the fiscal year ending September 30, 1989.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 95—to the Committee on Finance and Taxation

REPORTS OF COMMITTEES

Senator Covington, Chairperson of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator deGraffenried (With Notice and Proof):

S. 211. To supplement the salaries of the circuit judges of the Sixth Judicial Circuit.

By Rep. Venable (With Notice and Proof):

H. 294. Relating to Elmore County; to amend Act No. 84-634 of the 1984 Regular Session relating to the compensation of members of the county commission, so as to alter the amount of said compensation.

Senator Covington, Chairperson of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Rep. Bryant (With Notice and Proof) (With Amendment):

H. 308. Relating to Perry County; authorizing the county commission to levy a one percent (1%) sales tax, a three cent (\$0.03) tobacco tax, and a two cent (\$0.02) gasoline tax, providing for the distribution of said taxes and for penalties in violation of this act.

Senator Covington, Chairperson of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Britnell (With Notice and Proof):

H. 346. Relating to Franklin County; amending Act No. 88-562, S. 667, 1988 Regular Session (Acts 1988, p. 881), levying a county privilege, license

or excise tax on the sale, distribution, storage, use or other consumption of tobacco and certain tobacco products in such county, so as to provide further for the collection and enforcement of the tax; and for the distribution of the proceeds therefrom.

By Senator Bennett (With Notice and Proof) (By Request):

S. 214. Relating to Winston County; levying a county privilege, license or excise tax on the sale, distribution, storage, use or other consumption of tobacco and certain tobacco products in such county; providing for the collection and enforcement of the tax; providing for the distribution of the proceeds therefrom; and providing for a referendum.

By Senator Bennett (With Notice and Proof) (By Request):

S. 215. Relating to Lamar County; levying a county privilege, license or excise tax on the sale, distribution, storage, use or other consumption of tobacco and certain tobacco products in such county; providing for the collection and enforcement of the tax; and providing for the distribution of the proceeds therefrom.

By Senator Bennett (With Notice and Proof) (By Request):

S. 216. Relating to Lamar County; levying a special county privilege and license tax paralleling the state sales tax levied on certain automotive vehicles provided for by section 40-23-101, Code of Alabama 1975, and a special county excise tax paralleling the state use taxes levied on the storage or use of certain automotive vehicles provided for by section 40-23-102, Code of Alabama 1975; specifying the rates at which such taxes shall be levied; providing for the ascertainment, collection, payment, distribution and use of the said taxes; and providing for enforcement of this act.

By Senator Bennett (With Notice and Proof) (By Request):

S. 217. To amend Section 9 of Act No. 88-562, S. 667 of the 1988 Regular Session of the Legislature, which act levies certain taxes on tobacco and tobacco products in Franklin County, so as to exempt Act No. 708 of the 1965 Regular Session of the Legislature approved on September 1, 1965, from the repealer provisions of said Section 9.

By Senator Bennett (With Notice and Proof) (By Request):

S. 219. To amend Section 9 of Act No. 88-562, S. 667 of the 1988 Regular Session of the Legislature, which act levies certain taxes on tobacco and tobacco products in Franklin County, so as to exempt Act No. 708 of the 1965 Regular Session of the Legislature approved on September 1, 1965, from the repealer provisions of said Section 9.

By Senator Bennett (With Notice and Proof) (By Request):

S. 220. Relating to Marion County; amending Act No. 88-619, H. 1030, 1988 Regular Session (Acts 1988, p. 961), levying a county privilege, license or excise tax on the sale, distribution, storage, use or other consumption of tobacco and certain tobacco products in such county, so as to provide further for the collection and enforcement of the tax; and for the distribution of the proceeds therefrom.

By Senator Bennett (With Notice and Proof) (By Request):

S. 221. Relating to the City of Bear Creek in Marion County; to alter the corporate boundaries so as to include additional lands within the corporate limits; and to provide for a referendum thereon.

By Senator Bennett (With Notice and Proof) (By Request):

S. 222. Relating to Franklin County; authorizing and providing for the incorporation of the Franklin County Water Coordinating and Fire Prevention Authority, as a public corporation for the purpose of furnishing water service and fire protection facilities; providing that the service area specified in the original certificate of incorporation of such authority shall lie within the boundaries of the county in which it is incorporated, but that the said service area may be extended into one or more other counties by amendment to the certificate of incorporation; providing for and authorizing the certificate of incorporation and by-laws of such authority to be amended at any time and from time to time; providing for the appointment, election and compensation of directors of such authority; providing for the powers, authorities and duties of such authority and its board of directors; providing for the development of a master plan for said authority; authorizing such authority to acquire, construct, operate and improve one or more waterworks plants, water distribution systems or fire protection facilities, or any combination of any thereof; providing for cooperation with existing water systems and any county and city governments and any council of local government; conferring on such authority the power of eminent domain; making provisions respecting the establishment, revision and collection of charges for water service and fire protection facilities or service, or either, rendered by it; authorizing and providing for the assumption by such authority of obligations respecting systems and facilities, or parts thereof, acquired by the authority; providing that contracts entered into by such authority pursuant to this act shall not constitute or create a debt of the state or of any county, municipality or political subdivision of the state; providing that any county, municipality, other political subdivision, public corporation, or agency or instrumentality of this state may aid and cooperate with, lend or donate money to, perform services for the benefit of, and, without the necessity of an election and with or without consideration, transfer any water system, fire protection facility, or other property to such authority; providing that the rendition by such authority of water service or facilities or of fire protection service or facilities is a governmental function and to exempt such authority from all tort liability in connection with water services or facilities or with fire protection services or facilities; exempting from all taxation in this state such authority, its property, corporate activities, income, revenues, and securities, the income from its securities, conveyances, leases, and mortgages and deeds of trust to which such authority is a party, and exempting such authority from payment of certain charges to judges of probate; exempting the authority and the contracts made by it from all competitive bid laws; providing that such authority shall be exempted from regulation and supervision by the public service commission and the state department of finance; providing for the use of public roads in the state by such authority; providing for the dissolution of such authority and the disposition of its property; providing that any public corporation may convey its assets, with or without pecuniary consideration, to such authority; providing for auditing; and providing that funds of said authority may be used to aid in applying for available grants.

ADJOURNMENT

At 11:07 A.M., on motion of Senator deGraffenried, the Senate adjourned until Thursday, September 15, 1988, at 11 o'clock A.M.

TENTH LEGISLATIVE DAY
THURSDAY, SEPTEMBER 15, 1988

The Senate met pursuant to adjournment, Lieutenant Governor Folsom presiding.

PRAYER

The Session was opened with prayer by the Reverend Eddie Newton, Minister of Christian Education, Woodley Baptist Church, Montgomery, Alabama.

PLEDGE OF ALLEGIANCE

The Senators were led in the Pledge of Allegiance to the Flag of the United States of America by Dionne Jordan, Jeff Davis High School, Montgomery, Alabama.

ROLL CALL

Present:

Senators:	Campbell	Figures	Manley
Amari	Corbett	Foshee	Menton
Bailey	Covington	Goodwin	Mitchem
Barron	deGraffenried	Hale	Parsons
Bedford	Denton	Hand	Preuitt
Bedsole	Dial	Hilliard	Rice
Bennett	Dixon	Holmes	Sanders
Bishop	Drinkard	Horn	Smith (B)
Cabaniss	Ellis	Langford	Smith (J)

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JOURNAL

On motion of Senator deGraffenried, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

**REPORT OF COMMITTEE
ON RULES ON
REVISION OF THE JOURNAL**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Ninth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

BILL DRINKARD,
Chairperson.

COMMITTEE REPORT

On motion of Senator Drinkard, the foregoing report was concurred in and the Journal of the Senate for the Ninth Legislative Day was approved by the Senate.

RESOLUTIONS

Senators Parsons, Corbett, Amari, Bailey, Barron, Bedford, Bedsole, Bennett, Bishop, Cabaniss, Campbell, Covington, deGraffenried, Denton, Dial,

Dixon, Drinkard, Ellis, Figures, Foshee, Goodwin, Hale, Hand, Hilliard, Holmes, Horn, Langford, Manley, Menton, Mitchem, Preuitt, Rice, Sanders, Smith (B), and Smith (J) offered the following Senate Joint Resolution, to-wit:

S. J. R. 57. URGING GOVERNOR GUY HUNT TO REAPPRAISE HIS ENDORSEMENT OF THE "BRADY AMENDMENT," H. R. 975 AND S. 466 PENDING IN THE UNITED STATES CONGRESS.

WHEREAS, it has come to the attention of the Alabama Legislature that the Honorable Guy Hunt has given Mrs. Sarah Brady his endorsement of the "Brady Amendment," embodied in H. R. 975 and S. 466 pending in the United States Congress and is scheduled for vote in early September, 1988; and

WHEREAS, such amendment will, in effect, repeal the constitutional rights of thousands of sportsmen in Alabama and those who wish to protect their homes and institute gun control; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we do respectfully urge the Governor to reappraise his position on the "Brady Amendment" and consider the constitutional issues and the radical consequences such endorsement of the "Brady Amendment" could cause the citizens of this State.

BE IT FURTHER RESOLVED, That if the Governor would like additional and balanced information, we would respectfully urge him to contact knowledgeable people and experts in constitutional law and the National Rifle Association as well as others for balanced information before withdrawing time-honored rights from many Alabamians by his endorsement of the "Brady Amendment."

RESOLVED FURTHER, That copies of this resolution be sent forthwith to the Honorable Guy Hunt and Mr. Wayne LaPierre, Executive Director of the N.R.A.

On motion of Senator Parsons, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Denton offered the following Senate Joint Resolution, to-wit:

S. J. R. 58. EXPRESSING LEGISLATIVE INTENT REGARDING SENATE BILL 2.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That it is the intent of the Legislature with respect to Senate Bill 2, which empowers county commissions and municipal governing bodies to establish methods and systems for the collection and disposal of solid wastes and to require mandatory public participation in such program, that the terms "solid wastes" and "ash" as used in Senate Bill 2 do not include fly ash waste, bottom ash waste, boiler slag waste, or flue gas emission control waste generated primarily from the combustion of coal or other fossil fuels, as provided for under Subtitle D of the Resource Conservation Recovery Act (P.L. 94-580). The term "ash" used in this bill does include ash generated from the burning of garbage.

On motion of Senator Denton, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Logan and Britnell (With Notice and Proof):

H. 349. Relating to Marion County; authorizing the county board of health to designate the services rendered by the county health department for which a reasonable fee may be charged and to set the appropriate fee for each service; and providing that no citizen shall be denied any service because of that person's inability to pay.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 349, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,
Clerk.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 349—to the Committee on Local Legislation No. 1

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Bugg, Clark (J), Mathis, Crow, Zoghby, Walker, Headley, Cosby, Moon, Ford, McClain, Davis, McDowell, Reed, Williams, Kennedy, Marietta, Clark (W), Carter, Freeman, Brooks, Hall, Grayson, Junkins, Richardson, Johnson (RW), Burke, Buskey (JL), Rains, Buskey (JE), Perdue, Bowling, Goodwin, Seibels, White (G), Gray, Hill, McMillan, Haynes, Thomas, Hooper, Breedlove, Petelos, Curry, Britnell, Faulk, Harper, Parker, Bryant, Marks, Beasley, Hogan, Kvalheim, Gaston, Blake, Turner, Hammett, Beers, McKee, Wright, Payne, Frazier, Willis, Venable, Mikell, Newman, Logan, Hettinger, and Rogers:

H. 179. To amend Section 13A-14-2, Code of Alabama 1975, which relates to the Sunshine Law, so as to provide for notice of meetings and to increase the penalties for violations.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 179—to the Committee on Governmental Affairs

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Brooks:

H. 185. To propose that any person or candidate involved in certain election contests is entitled to make an examination of the ballots cast, given, or rejected in the election and provides the procedures for examination of the ballots cast, given, or rejected.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 185—to the Committee on Judiciary

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Buskey (JL), Bryant, Hooper, and Melton:

H. 219. To prohibit any state or county inmate from being employed by any district attorney, judge, or sheriff, or any parent, sibling, or child of any district attorney, judge, or sheriff, or for any business one-third or more of which is owned by any district attorney, judge, or sheriff, or any parent, sibling, or child of any district attorney, judge, or sheriff; and to provide a misdemeanor penalty.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 219—to the Committee on Judiciary

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 107. To further regulate the advertising by dentists, and the fees of dentists for administering anesthesia intravenous sedation; and to further

amend Sections 34-9-19, 34-9-60, 34-9-61, 34-9-63 and 34-9-64, Code of Alabama 1975, as amended, relating to fees and advertising, so as to further provide therefor.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 115. Relating to Madison County; to exempt from all county, local or municipal ad valorem taxes all property owned and used by the Huntsville Land Trust, Incorporated.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Williams (With Notice and Proof):

H. 354. Relating to Dale County; providing further for the distribution of the beer taxes levied by Act No. 82-344, H. 165, 1982 Regular Session.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 354, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,
Clerk.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 354—to the Committee on Local Legislation No. 1

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Dillard:

H. 237. Providing for officers for industrial development corporations organized under the authority of Chapter 20 of Title 11 of the Code of Alabama 1975.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 237—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Johnson (RG):

H. 296. To amend further sections 16-25-14 and 36-27-16, Code of Alabama 1975, relating to retirement benefits under the Teachers' and Employees' Retirement Systems, so as to provide for disability retirement in cases of service retirement upon completion of twenty-five years of creditable service.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 296—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Dillard:

H. 241. To amend Section 11-20-36 of the Code of Alabama 1975, relating to boards of directors of industrial development corporations, so as to provide further for such directors.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 241—to the Committee on Rules

**COMMUNICATION FROM THE
STATE SUPERINTENDENT OF EDUCATION**

To The Alabama State Senate
State House
Montgomery, Alabama

Gentlemen:

In compliance with Amendment 399 of the Constitution of Alabama, I hereby certify to the Senate of Alabama that the following person has been elected as a member of The University of Alabama Board of Trustees by the members of said Board. In the manner prescribed by the Constitution, on September 9, 1988.

<u>Name</u>	<u>Address</u>	<u>District</u>	<u>Expiration of Term</u>
O. H. Delchamps, Jr.	Mobile, Alabama	First	1994

Respectfully submitted,

WAYNE TEAGUE,
State Superintendent of Education.

Sworn to and subscribed
before me on this 14th
day of September, 1988.

Mildred C. Lee
Notary Public

COMMUNICATION RECEIVED

The foregoing Communication from the State Superintendent of Education, relative to an election to the Board of Trustees of the University of Alabama, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Turnham:

H. 317. Providing for elected superintendents of education to participate in the teachers' retirement system upon ratification of an amendment to the Constitution of Alabama 1901 allowing such elected superintendents to participate in such retirement system.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 317—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Rep. Britnell (With Notice and Proof):

H. 352. Relating to Franklin County; amending Act No. 88-562, S. 667, 1988 Regular Session (Acts 1988, p. 881), levying a county privilege, license or excise tax on the sale, distribution, storage, use or other consumption of tobacco and certain tobacco products in such county, so as to provide further for the collection and enforcement of the tax; and for the distribution of the proceeds therefrom.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 352, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Reps. Logan, Newman, and Britnell (With Notice and Proof):

H. 353. Relating to Marion County; providing for the merging of the budgetary operations of the tax assessor's office; providing that said office shall be financed on a pro rata share basis from proceeds of state, county and municipal ad valorem taxes collected in the county; providing certain exceptions and providing for supplemental effect.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 353, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,
Clerk.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 352 and 353—to the Committee on Local Legislation No. 1

FURTHER CONSIDERATION OF S. B. 202

The Senate proceeded to further consideration of the Bill:

S. 202. Relating to Franklin County; amending Act No. 88-562, S. 667, 1988 Regular Session (Acts 1988, p. 881), levying a county privilege, license or excise tax on the sale, distribution, storage, use or other consumption of tobacco and certain tobacco products in such county, so as to provide further for the collection and enforcement of the tax; and for the distribution of the proceeds therefrom.

having been postponed on the Eighth Legislative Day.

On motion of Senator Smith (J), further consideration of the Bill was postponed temporarily.

FURTHER CONSIDERATION OF H. B. 85

The Senate proceeded to further consideration of the Bill:

H. 85. Relating to Franklin County; to provide for additional expense allowances for members of the board of registrars and to provide for its retroactive effect.

having been postponed on the Eighth Legislative Day.

On motion of Senator Bennett, further consideration of the Bill was postponed temporarily.

FURTHER CONSIDERATION OF H. B. 124

The Senate proceeded to further consideration of the Bill:

H. 124. To authorize an additional county salary supplement for the District Attorney of the Thirty-Seventh Judicial Circuit; to provide that the provisions of this act shall be effective October 1, 1988.

having been postponed on the Eighth Legislative Day.

And said Bill, H. B. 124, was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Drinkard	Holmes
Amari	Cabaniss	Ellis	Horn
Bailey	Campbell	Foshee	Manley
Barron	Corbett	Goodwin	Menton
Bedford	Denton	Hale	Parsons
Bedsole	Dial	Hand	Rice
Bennett	Dixon		

—25

Nays:

—0

FURTHER CONSIDERATION OF H. B. 215

The Senate proceeded to further consideration of the Bill:

H. 215. Relating to Blount County; to provide further for fire districts within the county.

having been postponed on the Eighth Legislative Day.

And said Bill, H. B. 215, was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Ellis	Horn
Amari	Cabaniss	Foshee	Manley
Bailey	Campbell	Goodwin	Mitchem
Barron	Covington	Hale	Preuitt
Bedford	Denton	Hand	Rice
Bedsole	Dial	Holmes	Sanders
Bennett	Dixon		

—25

Nays:

—0

FURTHER CONSIDERATION OF H. B. 278

The Senate proceeded to further consideration of the Bill:

H. 278. Relating to Randolph County, repealing Act No. 88-328, H. 857, enacted in the Regular Session of 1988, allowing the Randolph County Health Department to set fees for service.

having been postponed on the Eighth Legislative Day.

And said Bill, H. B. 278, was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Dial	Hilliard	Parsons	
Barron	Drinkard	Holmes	Preuitt	
Bedsole	Ellis	Horn	Rice	
Bennett	Foshee	Langford	Sanders	
Bishop	Goodwin	Manley	Smith (B)	
Cabaniss	Hale	Menton	Smith (J)	
Campbell	Hand			—25

Nays: —0

FURTHER CONSIDERATION OF H. B. 307

The Senate proceeded to further consideration of the Bill:

H. 307. Relating to Randolph County, repealing Act No. 88-328, H. 857, enacted in the Regular Session of 1988, allowing the Randolph County Health Department to set fees for service.

having been postponed on the Eighth Legislative Day.

And said Bill, H. B. 307, was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Dial	Hilliard	Parsons	
Barron	Drinkard	Holmes	Preuitt	
Bedsole	Ellis	Horn	Rice	
Bennett	Foshee	Langford	Sanders	
Bishop	Goodwin	Manley	Smith (B)	
Cabaniss	Hale	Menton	Smith (J)	
Campbell	Hand			—25

Nays: —0

BILLS ON THIRD READING

THE BILL:

H. 259. Relating to Lee County; levying a lodging tax, providing for the collection and distribution of said tax, and establishing the "Auburn-Opelika Convention and Visitors Bureau."

was read a third time at length and passed.

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Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Drinkard	Holmes
Amari	Cabaniss	Ellis	Horn
Bailey	Campbell	Foshee	Manley
Barron	Corbett	Goodwin	Menton
Bedford	Denton	Hale	Parsons
Bedsole	Dial	Hand	Rice
Bennett	Dixon		

—25

Nays:

—0

THE BILL:

H. 326. Relating to Clay County, repealing Act No. 88-426, H. 938, enacted in the Regular Session of 1988, allowing the Clay County Health Department to set fees for service.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Dial	Hilliard	Parsons
Barron	Drinkard	Holmes	Preuitt
Bedsole	Ellis	Horn	Rice
Bennett	Foshee	Langford	Sanders
Bishop	Goodwin	Manley	Smith (B)
Cabaniss	Hale	Menton	Smith (J)
Campbell	Hand		

—25

Nays:

—0

THE BILL:

H. 338. Relating to Chambers County; abolishing the county offices of tax assessor and tax collector; providing for the establishment of a consolidated and unified system of assessment and collection of ad valorem taxes under the supervision of an elective county official designated as county revenue commissioner of said county; providing for the election and compensation of such revenue commissioner, and providing for a referendum upon the question of whether a majority of the qualified electors of Chambers County favor a revenue commissioner.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Dial	Hilliard	Parsons
Barron	Drinkard	Holmes	Preuitt
Bedsole	Ellis	Horn	Rice
Bennett	Foshee	Langford	Sanders
Bishop	Goodwin	Manley	Smith (B)
Cabaniss	Hale	Menton	Smith (J)
Campbell	Hand		

—25

Nays:

—0

THE BILL:

H. 180. Relating to Jefferson County; requiring the county commission to make certain office space provisions in the new Jefferson County Sheriff's Headquarters building located at Eighth Avenue and 22nd Street, North, in the City of Birmingham for certain personnel in the sheriff's department.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Covington	Figures	Manley	
Amari	deGraffenried	Foshee	Menton	
Barron	Denton	Goodwin	Parsons	
Bedford	Dial	Hale	Rice	
Bennett	Dixon	Hilliard	Sanders	
Cabaniss	Drinkard	Horn	Smith (B)	
Corbett	Ellis			—25

Nays: —0

Senator Hilliard moved that the Senate reconsider the vote by which the Bill, H. B. 180, was passed, and further moved that the motion to reconsider be laid on the table. The motion to table prevailed.

THE BILL:

H. 24. Relating to Jefferson County; to prescribe for the compensation of the Chief Deputy Sheriff of Jefferson County and to provide for the payment thereof.

was read a third time at length and passed.

Yeas 25; Nays 1.

Yeas:

Senators:	Covington	Figures	Manley	
Amari	deGraffenried	Foshee	Menton	
Barron	Denton	Goodwin	Parsons	
Bedford	Dial	Hale	Rice	
Bennett	Dixon	Hilliard	Sanders	
Campbell	Drinkard	Horn	Smith (B)	
Corbett	Ellis			—25

Nay: Senator Cabaniss —1

THE BILL:

H. 228. To amend Act No. 1272 of the Regular Session of the Legislature of Alabama of 1973, approved September 18, 1973, as amended, to provide for the participation of the unclassified employees of the City of Birmingham in the retirement and relief system of the City of Birmingham and to provide for related matters.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Covington	Figures	Manley	
Amari	deGraffenried	Foshee	Menton	
Barron	Denton	Goodwin	Parsons	
Bedford	Dial	Hale	Rice	
Bennett	Dixon	Hilliard	Sanders	
Cabaniss	Drinkard	Horn	Smith (B)	
Corbett	Ellis			—25

Nays: —0

Senator Hilliard moved that the Senate reconsider the vote by which the Bill, H. B. 228, was passed, and further moved that the motion to reconsider be laid on the table. The motion to table prevailed.

THE BILL:

H. 312. Relating to Jefferson County; to provide for a county supplemental salary for any full-time court referee or full-time standing master in an amount equal to fifty percent (50%) of the county supplemental salary payable to their respective appointing judges, to be paid from the general fund.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Covington	Figures	Manley	
Amari	deGraffenried	Foshee	Menton	
Barron	Denton	Goodwin	Parsons	
Bedford	Dial	Hale	Rice	
Bennett	Dixon	Hilliard	Sanders	
Cabaniss	Drinkard	Horn	Smith (B)	
Corbett	Ellis			—25

Nays: —0

THE BILL:

H. 90. Relating to the twenty-first judicial circuit, Escambia County, Alabama; providing further for expense allowances and equalizing expense allowances for the presiding circuit judge, circuit judge No. 2 and the district judge of the circuit; providing for such expense allowances to be payable from the county treasury.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following substitute for the Bill, H. B. 90, to-wit:

SUBSTITUTE FOR H. B. 90

A BILL TO BE ENTITLED AN ACT

Relating to the twenty-first judicial circuit, Escambia County, Alabama; providing further for expense allowances for the presiding circuit judge, circuit

judge No. 2 and the district judge of the circuit; providing that such expense allowances shall be payable from the county treasury; and providing for an effective date for this act.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. In the twenty-first judicial circuit, in Escambia County, the county commission shall pay the presiding circuit judge and circuit court judge No. 2 a total expense allowance of \$12,000 per annum. Such expense allowance shall be paid in equal monthly installments from the county treasury. Such expense allowances shall be in lieu of any expense allowances provided for by Act Nos. 569, H. 994 of the 1947 Regular Session (Acts 1947, p. 402, as amended); 531, S. 574, 1949 Regular Session (Acts 1949, p. 840); 249, H. 977, 1976 Regular Session (Acts 1976, p. 286); and Act No. 82-474, H. 811, 1982 Regular Session (Acts 1982, p. 795), or any other laws or parts of laws relating to expense allowances for such officer. These acts are repealed in part only to the extent there is a conflict with this act.

Section 2. The Escambia County Commission shall pay to the district court judge of the judicial circuit an annual expense allowance of \$6,000.00, payable in the same manner, as that received by the circuit judges provided for by Section 1 of this act. Such expense allowance shall be in lieu of any expense allowances heretofore provided for by law or parts of laws for such officer and these are repealed only to the extent there is a conflict with this act.

Section 3. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this act are hereby repealed.

Section 5. The provisions of this act shall be effective on the same date that House Bill 183 of the 1988 First Special Session becomes effective.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Campbell	Hale	Manley
Amari	Covington	Hand	Menton
Bailey	Denton	Hilliard	Rice
Barron	Dial	Holmes	Sanders
Bennett	Dixon	Horn	Smith (B)
Bishop	Ellis	Langford	Smith (J)
Cabaniss	Foshee		

—25

Nays:

—0

And said Bill, H. B. 90, as thus amended by the substitute, was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Campbell	Hale	Manley
Amari	Covington	Hand	Menton
Bailey	Denton	Hilliard	Rice
Barron	Dial	Holmes	Sanders
Bennett	Dixon	Horn	Smith (B)
Bishop	Ellis	Langford	Smith (J)
Cabaniss	Foshee		

—25

Nays:

—0

THE BILL:

H. 183. Relating to Escambia County; there is hereby levied a county privilege, license or excise tax on the sale, distribution, storage, use or other consumption of cigarettes in such county; providing for the collection and enforcement of the tax; and appropriating the proceeds therefrom.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following substitute for the Bill, H. B. 183, to-wit:

SUBSTITUTE FOR H. B. 183

A BILL TO BE ENTITLED AN ACT

Relating to Escambia County; there is hereby levied a county privilege, license or excise tax on the sale, distribution, storage, use or other consumption of cigarettes in such county; providing for the collection and enforcement of the tax; and appropriating the proceeds therefrom.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. There is hereby imposed upon every person, firm or corporation who sells, stores, delivers, uses or otherwise consumes tobacco in Escambia County a county privilege, license or excise tax up to:

Three cents (\$0.03) for each package of cigarettes, made of tobacco or any substitute therefor.

Said privilege, license or excise tax shall be in addition to all other taxes heretofore imposed by law.

Provided, however, when the license tax hereby required to be paid shall have been paid by a wholesaler or seller of cigarettes, such payment shall be sufficient, the intent being that such license tax hereby required to be paid shall be paid but once on each package of cigarettes.

Section 2. Upon passage of this act there is levied on every person, firm, corporation, club or association that sells or stores or receives for the purpose of distribution in Escambia County any cigarettes shall add the amount of the license or privilege tax levied and assessed herein to the price of the cigarettes, it being the purpose and intent of this provision that the tax levied is, in fact, a levy on the consumer with the person, firm, corporation,

club or association, who sells or stores or receives for the purpose of distributing the cigarettes, acting merely as agent for the collection of the tax. The dealer, storer or distributor shall state the amount of the tax separately from the price of the cigarettes, on all price display signs, sales or delivery slips, bills and statements which advertise or indicate the price of the cigarettes. It shall be unlawful for any dealer, storer or distributor engaged in or continuing in Escambia County in the business for which the tax is hereby levied to fail or refuse to add to the sales price and collect from the purchaser the amount due on account of the tax herein provided or to refund or offer to refund all or any part of the amount collected or to absorb or advertise directly or indirectly the absorption of the tax or any portion thereof. Any person, firm, corporation, club or association violating any of the provisions of this section shall be guilty of a misdemeanor, and upon conviction, shall be fined not more than one hundred dollars (\$100.00) or imprisoned in the county jail for not more than 60 days, or by both such fine and imprisonment. Each act in violation of this section shall constitute a separate offense.

Section 3. The tax hereby levied shall be paid on a monthly basis by affixing stamps as is required for the payment of the tax imposed by Section 40-25-1 through Section 40-25-28, Code of Alabama 1975. The state department of revenue, if requested by resolution of the Escambia County Commission to collect the county privilege license or tax specified in Section 1, for as long as the department is requested to collect said levy, shall have the same duties relative to the preparation and sale of stamps to evidence the payment of such tax that it has relative to the preparation and sale of stamps under those sections and may exercise the same powers and perform the same duties in the same manner relative to the collection of the tax hereby levied that it does relative to the collection of that tax. However, in the event the required stamps are not available for affixing to tobacco products packages and containers or, by the authority of a duly promulgated regulation eliminating the requirement of affixing stamps and replacing such requirement, a monthly reporting system approved by the department of revenue shall be accepted as evidence of payment of such taxes.

Section 4. It shall be the duty of the county commission of Escambia County to enforce the provisions of this act upon its imposing the tax thereunder, and it shall have the right itself, or its members or its agents, to examine the books, reports and accounts of every dealer, storer or distributor engaged in the business for which the tax is hereby levied and to make any and all rules and regulations necessary and proper for the collection of such tax. Provided, however, upon resolution of the Escambia County Commission, the state department of revenue is hereby authorized and directed to collect all taxes now or hereafter levied by said county under the provisions of this act. The state department of revenue is hereby authorized to promulgate and enforce rules and regulations to effectuate the purposes of this act. All such rules and regulations duly promulgated shall have the force and effect of law.

Section 5. All laws, and rules and regulations of the department of revenue, relating to the manner and time of payment of the tax levied by Section 40-25-1 through Section 40-25-28, Code of Alabama 1975, requiring reports from dealers and prescribing penalties for violations shall apply with equal force to the tax levied by this act as fully as if set out herein.

Section 6. The proceeds from the tax hereby levied, less the actual costs of collection not to exceed ten per centum, shall be paid by the state

department of revenue into the county general fund of Escambia County to be expended as follows:

(1) 1/2 cent to the county general fund.

(2) 2 1/2 cent to all fire departments, volunteer and municipal and the Escambia County rescue squad and the Flomaton fire department and rescue squad on an equal basis. Each municipal fire chief may expend that department's share in any manner he deems necessary for the operation of and equipment for that fire department, except none shall be expended for salaries. Volunteer fire departments shall expend their shares only as prescribed in their respective by-laws or articles of incorporation, except no proceeds distributed under this act shall be expended for salaries. Each fire department shall participate so long as such fire department is certified by the district forester of the Alabama Forestry Commission in Escambia County. Any fire department failing to meet certification standards shall be suspended from participation in the revenue until those standards are met and said fire department's revenue shall be equally distributed among the fire departments meeting the certification standards.

Section 7. (a) None of the provisions of this act shall be applied in such manner as to be in violation of the commerce or other clauses of the federal or state constitution.

(b) This act shall not be construed to apply to cigarettes stored by a wholesale dealer for the purpose of resale or reshipment outside of such counties which are actually resold or reshipped.

Section 8. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 9. All laws or parts of laws which conflict with this act are hereby repealed.

Section 10. This act shall become effective on the first day of the fourth month following its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Campbell	Hale	Manley
Amari	Covington	Hand	Menton
Bailey	Denton	Hilliard	Rice
Barron	Dial	Holmes	Sanders
Bennett	Dixon	Horn	Smith (B)
Bishop	Ellis	Langford	Smith (J)
Cabaniss	Foshee		

—25

Nays:

—0

And said Bill, H. B. 183, as thus amended by the substitute, was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Campbell	Hale	Manley	
Amari	Covington	Hand	Menton	
Bailey	Denton	Hilliard	Rice	
Barron	Dial	Holmes	Sanders	
Bennett	Dixon	Horn	Smith (B)	
Bishop	Ellis	Langford	Smith (J)	
Cabaniss	Foshee			—25

Nays: —0

THE BILL:

H. 311. Relating to Bibb County, to authorize the county commission to levy an additional one cent (\$.01) sales and use tax in the county in areas located outside the municipal limits of Centreville, Brent and West Blocton; to provide for collection of said tax by the state revenue department; and to distribute the net proceeds of said tax to the county general fund.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following amendment to the Bill, H. B. 311, to-wit:

AMENDMENT TO H. B. 311

Delete entirely the existing Section 2, page 1, lines 27 through 31, and in lieu thereof insert the following new Section 2:

Section 2. There are exempted and excluded from the provisions of this act the same exemptions and exclusions applicable to the state sales and use taxes.

Also in the title, page 1, line 14, and in Section 1, page 1, line 24, delete the word "municipal" and in lieu thereof in each place the word:

corporate

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Campbell	Hand	Menton	
Amari	Covington	Hilliard	Preuitt	
Bailey	Denton	Holmes	Rice	
Barron	Dial	Horn	Sanders	
Bennett	Dixon	Langford	Smith (B)	
Bishop	Ellis	Manley	Smith (J)	
Cabaniss	Goodwin			—25

Nays: —0

And said Bill, H. B. 311, as thus amended, was read a third time at length and passed.

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10th Day

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Yeas 25; Nays 0.

Yeas:

Senators:	Campbell	Hand	Menton	
Amari	Covington	Hilliard	Preuitt	
Bailey	Denton	Holmes	Rice	
Barron	Dial	Horn	Sanders	
Bennett	Dixon	Langford	Smith (B)	
Bishop	Ellis	Manley	Smith (J)	
Cabaniss	Goodwin			—25

Nays: —0

THE BILL:

H. 324. Relating to the City of Gadsden, in Etowah County, amending Section 14 of Act No. 671, H. 921 of the 1951 Regular Session (Acts 1951, Vol. II, p. 1158), as amended by Act No. 88-434, H. 59, 1988 Regular Session, which creates and establishes, within certain cities classified on a population basis, a civil service system to govern the appointment, tenure, compensation, conditions of employment and removal of certain officers and employees of such cities, so as to provide further for the meetings of the civil service board.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Covington	Hale	Menton	
Barron	deGraffenried	Hand	Parsons	
Bennett	Denton	Hilliard	Preuitt	
Bishop	Dial	Horn	Rice	
Cabaniss	Drinkard	Langford	Sanders	
Campbell	Foshee	Manley	Smith (B)	
Corbett	Goodwin			—25

Nays: —0

THE BILL:

H. 333. To propose an amendment to the Constitution of Alabama of 1901, as amended, so that notwithstanding existing provisions thereof the governing body of the City of Huntsville in Madison County shall have the authority to make a one-time appropriation of money, up to a maximum total appropriation of \$2,000,000.00, to one or more bona fide nonprofit organizations, which at the time of such appropriation has been organized for the purpose of fostering and coordinating volunteer activity in the field of the literary, visual, or performing arts, which said appropriation is to be used exclusively for construction of one or more buildings located within said city and owned by such organization; to provide that the City of Huntsville shall also have the authority to provide up to \$100,000.00 annually for certain operational expenses and maintenance of buildings; to provide that the provisions of such amendment, if adopted, shall be self-executing; and to provide for referendum.

was taken up.

Senator Smith (J) offered the following substitute for the Bill, H. B. 333, to-wit:

SUBSTITUTE FOR H. B. 333

**A BILL
TO BE ENTITLED
AN ACT**

To propose an amendment to the Constitution of Alabama of 1901, as amended, so that notwithstanding existing provisions thereof the governing body of the City of Huntsville in Madison County shall have the authority to make a one-time appropriation of money, up to a maximum total appropriation of \$2,000,000.00, to one or more bona fide nonprofit organizations, which at the time of such appropriation has been organized for the purpose of fostering and coordinating volunteer activity in the field of the literary, visual, or performing arts, which said appropriation is to be used exclusively for construction of one or more buildings located within said city and owned by such organization; to provide that the City of Huntsville shall also have the authority to provide up to \$100,000.00 annually for certain operational expenses and maintenance of buildings; to provide that the provisions of such amendment, if adopted, shall be self-executing; and to provide for referendum.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The following amendment to the Constitution of Alabama of 1901, as amended, is proposed and shall become valid as a part thereof when approved by a majority of the qualified electors voting thereon and in accordance with Sections 284, 285 and 287 of the Constitution of 1901 as amended:

PROPOSED AMENDMENT

Notwithstanding the provisions of the Constitution of Alabama of 1901, as amended, the governing body of the City of Huntsville in Madison County is hereby authorized to make a one-time appropriation of money, up to a maximum total appropriation of \$2,000,000.00, to one or more bona fide nonprofit organizations, each of which at the time of any such appropriation must have been organized for the purpose of and actively engaged in fostering and coordinating volunteer citizen activity in the field of the literary, visual, and performing arts within the City of Huntsville for a period of more than five years, which said appropriation or appropriations are to be used exclusively for construction of one or more buildings located within said city, to be owned by such organization. The total maximum appropriation herein authorized may, however, at the discretion of the governing body, be made to only one such organization, provided, however, that any such appropriation may be made only upon proof that an amount equal to one dollar for each one dollar appropriated has first been raised from nonpublic funds and placed on deposit with a bank or trust company under an agreement restricting the use of said funds to expenditures for the construction of one or more buildings to be occupied exclusively by one or more organizations engaged in fostering and coordinating volunteer citizen activity in the field of the literary, visual, and performing arts within the City of Huntsville. The City of Huntsville is further authorized to appropriate up to \$100,000.00 annually for the general operations of any such organization, or for maintenance of any building which is occupied by any such organization.

No payment may be made by the City of Huntsville under the authority of this amendment except upon the affirmative vote of the qualified electors of the City of Huntsville, in the election called for the ratification of this amendment, or at a subsequent election called for such purpose as hereinafter provided. Provided, however, that if this amendment is ratified, and a majority of the electors of the City of Huntsville do not vote in favor of such amendment, subsequent elections for the purpose of authorizing the governing body to make such appropriations to qualified organizations may be called by the governing body in the same manner and at the same time as any other general or special municipal election, but not more than one such election shall be held during any period of 12 consecutive months.

The provisions of this constitutional amendment shall be self-executing, but the Legislature shall have the right and power by general, special or local act to adopt laws supplemental to this amendment or in furtherance of the general purpose and objectives herein set forth.

Section 2. An election upon the proposed amendment is ordered to be held at the next general, special, primary or constitutional amendment election after the expiration of three months from final adjournment of the current session of the Legislature. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and the general election laws of this state.

Section 3. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in a newspaper in each county of the state. In every county in which no newspaper is published, a copy of the notice shall be posted at each courthouse and post office.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Dial	Hilliard	Mitchem	
Barron	Dixon	Holmes	Parsons	
Bedsole	Drinkard	Horn	Preuitt	
Bennett	Ellis	Langford	Rice	
Bishop	Figures	Manley	Smith (B)	
Cabaniss	Foshee	Menton	Smith (J)	
Campbell	Hale			—25

Nays: —0

And said Bill, H. B. 333, as thus amended by the substitute, was read a third time at length as required by the Constitution and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Dial	Hilliard	Mitchem	
Barron	Dixon	Holmes	Parsons	
Bedsole	Drinkard	Horn	Preuitt	
Bennett	Ellis	Langford	Rice	
Bishop	Figures	Manley	Smith (B)	
Cabaniss	Foshee	Menton	Smith (J)	
Campbell	Hale			—25

Nays: —0

THE BILL:

H. 335. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Scottsboro in Jackson County.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Denton	Goodwin	Menton
Barron	Dial	Hale	Preuitt
Bedsole	Dixon	Hand	Rice
Bennett	Drinkard	Horn	Sanders
Bishop	Ellis	Langford	Smith (B)
Cabaniss	Figures	Manley	Smith (J)
Campbell	Foshee		

—25

Nays:

—0

THE BILL:

S. 211. To supplement the salaries of the circuit judges of the Sixth Judicial Circuit.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Corbett	Foshee	Manley
Amari	deGraffenried	Goodwin	Menton
Bailey	Dial	Hale	Parsons
Barron	Dixon	Hand	Preuitt
Bedsole	Drinkard	Horn	Rice
Bishop	Ellis	Langford	Sanders
Campbell	Figures		

—25

Nays:

—0

THE BILL:

H. 294. Relating to Elmore County; to amend Act No. 84-634 of the 1984 Regular Session relating to the compensation of members of the county commission, so as to alter the amount of said compensation.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Campbell	Figures	Menton
Amari	Covington	Foshee	Mitchem
Bailey	Denton	Goodwin	Preuitt
Barron	Dial	Hale	Sanders
Bennett	Dixon	Hand	Smith (B)
Bishop	Drinkard	Langford	Smith (J)
Cabaniss	Ellis		

—25

Nays:

—0

THE BILL:

H. 308. Relating to Perry County; authorizing the county commission to levy a one percent (1%) sales tax, a three cent (\$0.03) tobacco tax, and a two cent (\$0.02) gasoline tax, providing for the distribution of said taxes and for penalties in violation of this act.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following amendment to the Bill, H. B. 308, to-wit:

AMENDMENT TO H. B. 308

Amend H. B. 308, Page 1, line 13 by inserting, immediately following the word "sales", the words and use

further amend H. B. 308, Page 3 by deleting all existing language under "Section 3", and insert in lieu thereof, the following:

In order to provide funds for the benefit of Perry County, the Perry County Commission is hereby authorized to levy a Perry County sales and use tax which parallels the state sales and use tax laws at a rate not to exceed one percent.

There are exempted and excluded from this act the same exemptions and exclusions applicable to the state sales and use taxes.

further amend H. B. 308, Page 1, line 26 immediately following the word "meaning.", by inserting the following new language:

Furthermore, all words, terms, and phrases as defined in sections 40-23-60, 40-23-61, 40-23-62, and 40-23-63 of the Code of Alabama 1975, as amended, providing for the levy of a state use tax shall, wherever used in this act, have the same meanings respectively ascribed by them in said sections except where the context herein clearly indicates a different meaning.

further amend H. B. 308, Page 6, line 5 by substituting the words "and use taxes", in place of "~~tax~~"

further amend Page 6, line 13, by adding, immediately following the word "sales", the new words and use

further amend Page 6, line 28 by inserting, immediately following the word "sales", the new words and use

further amend Page 6, line 34 by substituting the words "and use taxes" in place of the word ~~tax~~

further amend Page 7, lines 4, 6, and 7 by deleting the word ~~sales~~

further amend Page 6, line 15 by substituting the words "sales and use taxes" for the word "~~tax~~"

further amend Page 6, line 18 by substituting the words "and use taxes" in place of "~~tax~~"

further amend Page 6, line 19, by adding, immediately following the word "sales", the new words and use

further amend H. B. 308, Page 13, Section 19, line 9 by inserting, immediately following the word "therefor" and immediately preceding the period, the following:

, except little cigars, such as Winchester cigars or cigarellos, which are similar to and which are packaged in the same manner as cigarettes, shall be taxed as cigarettes under Section 19, Subsection (1)

further amend H. B. 308, Page 15, Section 21, line 9 by inserting, immediately thereafter, the following new paragraph:

However, in the event the required stamps are not available for affixing to tobacco products packages and containers or, by the authority of a duly promulgated regulation eliminating the requirement of affixing stamps and replacing such requirement, a monthly reporting system approved by the department of revenue shall be accepted as evidence of payment of such taxes.

further amend H. B. 308, Page 15, Section 21, line 3 by inserting, between the words "revenue" and "shall", the following new language:

, if requested by resolution of the Perry County Commission to collect all county privilege licenses or taxes specified in Section 19, for as long as the department is requested to collect said levies.

further amend H. B. 308, Page 15, Section 22, line 10 by inserting, between the words "revenue" and "is", the following new language:

, if requested by resolution of the Perry County Commission to collect all county privilege licenses or taxes specified in Section 19, for as long as the department is requested to collect said levies.

further amend H. B. 308, Page 14, line 34 by inserting, at the beginning of Section 21 preceding the word "The", the following new language:

It shall be the duty of the county commission of Perry County to enforce the provisions of this act upon its imposing the tax thereunder, and it shall have the right itself, or its members or its agents, to examine the books, reports and accounts of every dealer, storer or distributor engaged in the business for which the tax is hereby levied and to make any and all rules and regulations necessary and proper for the collection of such tax. Provided, however, upon resolution of the Perry County Commission, the state department of revenue is hereby authorized and directed to collect all taxes now or hereafter levied by said county under the provisions of this act.

further amend H. B. 308, Page 14, Section 21, line 34 by inserting, between the words "paid" and "by", the following:

on a monthly basis

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Campbell	Figures	Langford
Amari	Corbett	Foshee	Manley
Bailey	Denton	Goodwin	Menton
Barron	Dial	Hale	Parsons
Bennett	Dixon	Hand	Preuitt
Bishop	Drinkard	Horn	Sanders
Cabaniss	Ellis		

—25

Nays:

—0

And said Bill, H. B. 308, as thus amended, was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Campbell	Figures	Langford	
Amari	Corbett	Foshee	Manley	
Bailey	Denton	Goodwin	Menton	
Barron	Dial	Hale	Parsons	
Bennett	Dixon	Hand	Preuitt	
Bishop	Drinkard	Horn	Sanders	
Cabaniss	Ellis			—25

Nays:

—0

THE BILL:

H. 346. Relating to Franklin County; amending Act No. 88-562, S. 667, 1988 Regular Session (Acts 1988, p. 881), levying a county privilege, license or excise tax on the sale, distribution, storage, use or other consumption of tobacco and certain tobacco products in such county, so as to provide further for the collection and enforcement of the tax; and for the distribution of the proceeds therefrom.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Campbell	Figures	Manley	
Amari	Covington	Foshee	Menton	
Bailey	Denton	Goodwin	Parsons	
Bedford	Dial	Hale	Preuitt	
Bennett	Dixon	Hand	Rice	
Bishop	Drinkard	Horn	Sanders	
Cabaniss	Ellis			—25

Nays:

—0

THE BILL:

S. 214. Relating to Winston County; levying a county privilege, license or excise tax on the sale, distribution, storage, use or other consumption of tobacco and certain tobacco products in such county; providing for the collection and enforcement of the tax; providing for the distribution of the proceeds therefrom; and providing for a referendum.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Campbell	Figures	Manley	
Amari	Covington	Foshee	Menton	
Bailey	Denton	Goodwin	Parsons	
Bedford	Dial	Hale	Preuitt	
Bennett	Dixon	Hand	Rice	
Bishop	Drinkard	Horn	Sanders	
Cabaniss	Ellis			—25

Nays:

—0

THE BILL:

S. 215. Relating to Lamar County; levying a county privilege, license or excise tax on the sale, distribution, storage, use or other consumption of tobacco and certain tobacco products in such county; providing for the collection and enforcement of the tax; and providing for the distribution of the proceeds therefrom.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Campbell	Figures	Manley	
Amari	Covington	Foshee	Menton	
Bailey	Denton	Goodwin	Parsons	
Bedford	Dial	Hale	Preuitt	
Bennett	Dixon	Hand	Rice	
Bishop	Drinkard	Horn	Sanders	
Cabaniss	Ellis			—25

Nays: —0

THE BILL:

S. 216. Relating to Lamar County; levying a special county privilege and license tax paralleling the state sales tax levied on certain automotive vehicles provided for by section 40-23-101, Code of Alabama 1975, and a special county excise tax paralleling the state use taxes levied on the storage or use of certain automotive vehicles provided for by section 40-23-102, Code of Alabama 1975; specifying the rates at which such taxes shall be levied; providing for the ascertainment, collection, payment, distribution and use of the said taxes; and providing for enforcement of this act.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Campbell	Figures	Manley	
Amari	Covington	Foshee	Menton	
Bailey	Denton	Goodwin	Parsons	
Bedford	Dial	Hale	Preuitt	
Bennett	Dixon	Hand	Rice	
Bishop	Drinkard	Horn	Sanders	
Cabaniss	Ellis			—25

Nays: —0

THE BILL:

S. 217. To amend Section 9 of Act No. 88-562, S. 667 of the 1988 Regular Session of the Legislature, which act levies certain taxes on tobacco and tobacco products in Franklin County, so as to exempt Act No. 708 of the 1965 Regular Session of the Legislature approved on September 1, 1965, from the repealer provisions of said Section 9.

FIRST EXTRAORDINARY SESSION
10th Day

425

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Corbett	Hale	Parsons	
Amari	Denton	Hand	Preuitt	
Bailey	Dial	Horn	Rice	
Bedford	Dixon	Langford	Sanders	
Bennett	Ellis	Manley	Smith (B)	
Cabaniss	Foshee	Menton	Smith (J)	
Campbell	Goodwin			—25

Nays: —0

THE BILL:

S. 219. To amend Section 9 of Act No. 88-562, S. 667 of the 1988 Regular Session of the Legislature, which act levies certain taxes on tobacco and tobacco products in Franklin County, so as to exempt Act No. 708 of the 1965 Regular Session of the Legislature approved on September 1, 1965, from the repealer provisions of said Section 9.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Corbett	Hale	Parsons	
Amari	Denton	Hand	Preuitt	
Bailey	Dial	Horn	Rice	
Bedford	Dixon	Langford	Sanders	
Bennett	Ellis	Manley	Smith (B)	
Cabaniss	Foshee	Menton	Smith (J)	
Campbell	Goodwin			—25

Nays: —0

THE BILL:

S. 220. Relating to Marion County; amending Act No. 88-619, H. 1030, 1988 Regular Session (Acts 1988, p. 961), levying a county privilege, license or excise tax on the sale, distribution, storage, use or other consumption of tobacco and certain tobacco products in such county, so as to provide further for the collection and enforcement of the tax; and for the distribution of the proceeds therefrom.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Corbett	Hale	Parsons	
Amari	Denton	Hand	Preuitt	
Bailey	Dial	Horn	Rice	
Bedford	Dixon	Langford	Sanders	
Bennett	Ellis	Manley	Smith (B)	
Cabaniss	Foshee	Menton	Smith (J)	
Campbell	Goodwin			—25

Nays: —0

THE BILL:

S. 221. Relating to the City of Bear Creek in Marion County; to alter the corporate boundaries so as to include additional lands within the corporate limits; and to provide for a referendum thereon.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Corbett	Hale	Parsons	
Amari	Denton	Hand	Preuitt	
Bailey	Dial	Horn	Rice	
Bedford	Dixon	Langford	Sanders	
Bennett	Ellis	Manley	Smith (B)	
Cabaniss	Foshee	Menton	Smith (J)	
Campbell	Goodwin			—25

Nays: —0

THE BILL:

S. 222. Relating to Franklin County; authorizing and providing for the incorporation of the Franklin County Water Coordinating and Fire Prevention Authority, as a public corporation for the purpose of furnishing water service and fire protection facilities; providing that the service area specified in the original certificate of incorporation of such authority shall lie within the boundaries of the county in which it is incorporated, but that the said service area may be extended into one or more other counties by amendment to the certificate of incorporation; providing for and authorizing the certificate of incorporation and by-laws of such authority to be amended at any time and from time to time; providing for the appointment, election and compensation of directors of such authority; providing for the powers, authorities and duties of such authority and its board of directors; providing for the development of a master plan for said authority; authorizing such authority to acquire, construct, operate and improve one or more waterworks plants, water distribution systems or fire protection facilities, or any combination of any thereof; providing for cooperation with existing water systems and any county and city governments and any council of local government; conferring on such authority the power of eminent domain; making provisions respecting the establishment, revision and collection of charges for water service and fire protection facilities or service, or either, rendered by it;

authorizing and providing for the assumption by such authority of obligations respecting systems and facilities, or parts thereof, acquired by the authority; providing that contracts entered into by such authority pursuant to this act shall not constitute or create a debt of the state or of any county, municipality or political subdivision of the state; providing that any county, municipality, other political subdivision, public corporation, or agency or instrumentality of this state may aid and cooperate with, lend or donate money to, perform services for the benefit of, and, without the necessity of an election and with or without consideration, transfer any water system, fire protection facility, or other property to such authority; providing that the rendition by such authority of water service or facilities or of fire protection service or facilities is a governmental function and to exempt such authority from all tort liability in connection with water services or facilities or with fire protection services or facilities; exempting from all taxation in this state such authority, its property, corporate activities, income, revenues, and securities, the income from its securities, conveyances, leases, and mortgages and deeds of trust to which such authority is a party, and exempting such authority from payment of certain charges to judges of probate; exempting the authority and the contracts made by it from all competitive bid laws; providing that such authority shall be exempted from regulation and supervision by the public service commission and the state department of finance; providing for the use of public roads in the state by such authority; providing for the dissolution of such authority and the disposition of its property; providing that any public corporation may convey its assets, with or without pecuniary consideration, to such authority; providing for auditing; and providing that funds of said authority may be used to aid in applying for available grants.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Corbett	Hale	Parsons	
Amari	Denton	Hand	Preuitt	
Bailey	Dial	Horn	Rice	
Bedford	Dixon	Langford	Sanders	
Bennett	Ellis	Manley	Smith (B)	
Cabaniss	Foshee	Menton	Smith (J)	
Campbell	Goodwin			—25

Nays: —0

THE BILL:

H. 330. Relating to Barbour County; providing further for the funding of the offices of the tax assessor and tax collector.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Corbett	Hale	Menton	
Amari	Denton	Hand	Preuitt	
Bailey	Dial	Hilliard	Rice	
Bedsole	Dixon	Horn	Sanders	
Bennett	Ellis	Langford	Smith (B)	
Bishop	Foshee	Manley	Smith (J)	
Cabaniss	Goodwin			—25

Nays: —0

REPORTS OF COMMITTEES

Senator Drinkard, Chairperson of the Standing Committee on Rules, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Campbell:

H. 6. Relating to elections; to define the meaning of terms used in this act; to provide for the designation and organization of a principal campaign committee by each candidate for election to state or local office; to designate the Secretary of State and the Judge of Probate as the recipients of reports and statements required to be filed by this act; to provide for the registration of political committees, including the principal campaign committee of each candidate; to provide for the reporting of contributions received and expenditures made by political committees; to provide for the designation of campaign depositories; to delineate the duties of the Secretary of State and Judge of Probate; to provide for the disbursement of campaign contributions in excess of expenditures; to provide for proper identification of campaign advertising; to prohibit the intimidation of voters, certain expenditures to influence voting, the publication or distribution of certain political statements, contributions in the name of another, fraudulent misrepresentations of campaign authority, and coercion of contributions; to provide penalties for the violation of the provisions of this act; to require that certificates of election be withheld under certain circumstances; and to repeal chapter 22 of Title 17 of the Code of Alabama 1975.

By Senator Manley:

S. 212. To validate certain ad valorem taxes levied for school purposes; and to provide that ad valorem taxes levied for school purposes and approved by the voters of a county or school district for a period in excess of 30 years are valid for the period approved by voters.

Senator Smith (J), Chairperson of the Standing Committee on Health, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Reps. Carothers and Johnson (RG) (With Substitute):

H. 186. To provide for the establishment and operation of an Alabama Chiropractors' Hall of Fame Board, and to prescribe its powers and duties.

Senator Horn, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Reps. Penry, Marietta, Zoghby, and Box:

H. 240. To amend Section 41-9-341, Code of Alabama, 1975, which relates to reimbursement of expenses of members of the USS Alabama Battleship Commission, so as to allow members to be reimbursed for actual expenses incurred from funds of the Commission and to amend Section 41-9-349, Code of Alabama, 1975, which relates to the powers of the USS Alabama Battleship Commission, so as to authorize the Commission to lease certain of its lands in furtherance of the purposes for which the Commission was organized.

By Rep. Kvalheim:

H. 273. To amend Sections 16-6A-12 and 16-6A-13, Code of Alabama 1975, which provide for the Educational Reform Act of 1984, so as to provide further for eligibility for and repayment of scholarship loans for teacher education programs in critical needs areas.

Senator Dial, Chairperson of the Standing Committee on Commerce, Transportation, and Utilities, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Reps. Starkey, Dillard, Brooks, Hamilton, Freeman, Grayson, Marks, Richardson, and Bowling (With Amendment):

H. 16. To amend Section 37-1-47 of the Code of Alabama 1975, relating to Public Service Commission intervention in certain federal proceedings, so as to provide further for participation in federal proceedings by the Public Service Commission.

Senator deGraffenried, Chairperson of the Standing Committee on State Development and Tourism, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Rep. Biddle (With Substitute):

H. 342. To amend Act No. 88-475, H. 747, 1988 Regular Session, which act creates the Alabama Mental Health Finance Authority and provides for mental health projects of the Authority, and financing of such projects; so as to authorize the Authority to enter into any necessary financial instruments or obligations with the Retirement Systems of Alabama in order to secure financing for the funding of projects of the Authority; and to provide that tax proceeds derived from sections 40-2-1 and 40-25-41, Code of Alabama 1975, or any subsequent tobacco tax, shall be primarily pledged for the payment of principal and interest on any said financing agreement.

Senator Holmes, Chairperson of the Standing Committee on Small Business, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Rep. Thomas:

H. 22. To amend Sections 34-33-1, 34-33-2, 34-33-3, 34-33-4, 34-33-5, 34-33-6 and 34-33-10 of the Code of Alabama 1975, relating to fire protection sprinkler systems, so as to redefine such systems and to further regulate the fire protection sprinkler system business in this state.

Senator Figures, Chairperson of the Standing Committee on Local Legislation No. 3, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Rep. Buskey (JE) (With Notice and Proof):

H. 291. Relating to Mobile County; providing for the compensation and payment of an additional salary for members of the county governing

body, and to preserve certain Mobile County acts regarding salary and expense allowances for said members.

Senator Covington, Chairperson of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Reps. Grayson, Butler, and Freeman (With Notice and Proof):

H. 75. To alter, extend, rearrange and redefine the boundaries and corporate limits of the City of Huntsville in Madison County, annexing certain territory to the city.

By Rep. Flowers (With Notice and Proof):

H. 165. Relating to Pike County; providing for the mode of construction, maintenance and repair of public roads, highways, bridges and ferries under the county unit system; authorizing and requiring the county engineer; providing for the manner of selecting said engineer; prescribing his qualifications and requiring bond; defining his authority, powers and duties and those of the county commission in relation to the roads, highways, bridges and ferries of Pike County; prohibiting the performance of certain work on private property; providing civil fines for violations; and providing for an effective date.

By Rep. Flowers (With Notice and Proof):

H. 194. To implement the Pike County Government Modernization Plan; to further provide for the operation of certain county offices; to abolish the offices of tax assessor and tax collector and to merge such functions into a new revenue commissioner and to provide for such officer's qualifications, election procedures, duties, powers and compensation; to remove and transfer duties of chairman of the Pike County Commissioner from the judge of probate to the full-time chairman of the county commission and to provide for the qualifications, election procedures, duties, powers and compensation of such chairman; to provide for the reelection of the tax assessor and tax collector under certain conditions; to further provide for the compensation of the judge of probate; and to provide for the effective dates of this act, which dates shall be specified in different years.

Senator Hilliard, Chairperson of the Standing Committee on Local Legislation No. 2, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Hilliard (With Notice and Proof):

S. 225. Relating to Jefferson County, amending Act No. 1272, H. 620, 1973 Regular Session, which provides for a pension and retirement system in the City of Birmingham, so as to provide further for the investment of pension funds.

By Reps. Newton and Spratt (With Notice and Proof):

H. 195. To amend Act No. 453 of the 1967 Regular Session of the Legislature of Alabama, (1967 Acts of Alabama, page 1129), as amended by Act No. 393 of the 1975 Regular Session of the Legislature of Alabama, said

acts providing a pension and relief fund for officers and employees of the library board of any city having a population of three hundred thousand or more according to the last and any subsequent federal census, said act applicable to the officers and employees of the Birmingham Public Library System, to provide for the participation of the employees of the library board who are currently entitled to participate in the unclassified pension relief plan of the City of Birmingham to participate in the Birmingham Library Board Employees Pension and Relief Fund and to provide for related matters.

By Reps. Spratt, Davis, Newton, Perdue, Wright, Seibels, Biddle, Rogers, Payne, McClain, White (G), Gray, Slaughter, and Curry (With Notice and Proof):

H. 301. Relating to counties having a population excess of 500,000 according to the most recent federal decennial census; to amend Section 1 of Act No. 81-752, H. 33, 1981 Regular Session, which relates to the compensation of certain election officials so as to increase their compensation.

By Senator Hilliard (With Notice and Proof):

S. 208. To further regulate the sale of alcoholic or spirituous or vinous liquors, brewed or malt beverages and beer in any Class 1 municipality; to provide that certain validly licensed manufacturers brewing malt or malt liquors may sell to consumers and others for consumption on the premises or off the premises, as the case may be; to provide that a validly licensed restaurant retail licensee may also be licensed as a manufacturer of said malt brewed or malt liquors; to provide that certain manufacturers may also be wholesalers to sell said brewed or malt liquors, regardless of origination, to duly licensed persons or vendors; and to repeal any local, general or special law conflicting with the provisions of this act.

By Reps. McDowell, Curry, and McClain (With Notice and Proof):

H. 190. Relating to Jefferson County; to continue the office of Assistant Sheriff, Bessemer Division; to prescribe the duties, responsibilities and term; to provide for the appointment, qualifications and compensation of said office; to repeal all conflicting statutes; to provide for severability of the provisions of this act and to prescribe the effective date of such act.

By Reps. McDowell, Curry, McClain, and Newton (With Notice and Proof):

H. 192. To provide for the appointment of a Chief Deputy Tax Collector by the elected Jefferson County Assistant Tax Collector, Bessemer Division, an to provide for compensation, funding and qualifications of said Chief Deputy.

By Reps. McDowell, Curry, McClain, and Newton (With Notice and Proof):

H. 191. To provide for the appointment of a Chief Deputy Tax Collector by the Elected Jefferson County Tax Collector and to provide for compensation, funding and qualifications of said Chief Deputy.

By Senator Hilliard (With Notice and Proof):

S. 207. To allow any municipality having a population of 300,000 inhabitants or more according to the last or any subsequent federal census, and acting pursuant to the authority granted by Act No. 105 of the 1971 Third Special Session of the Alabama Legislature, to authorize independent contractors to abate public nuisances caused by noxious or dangerous weeds without complying with the competitive bid law.

By Reps. Newton and Spratt (With Notice and Proof):

H. 196. To amend section 11-52-32 of the Code of Alabama 1975 relating to planning, zoning and subdivisions, so as to provide further for the planning commissions of Class 1 municipalities to elect no less than three and no more than five of the members thereof to serve as a committee to approve or disapprove any plat presented to such commission.

By Reps. Spratt and Newton (With Notice and Proof):

H. 197. To amend Act No. 929, 1951 Regular Session (General Acts of 1951, p. 1579), as amended by Act No. 1272, 1973 Regular Session (Acts 1973, p. 2124), and as previously and subsequently amended, which created a retirement system for officers and employees in cities of two hundred thousand or more inhabitants according to the latest federal decennial census, so as to provide further for the payments of benefits during periods of re-employment.

By Rep. Perdue (With Notice and Proof):

H. 229. Relating to Jefferson County; to amend Article VI of Act No. 1272, H. 620, 1973 Regular Session (Acts 1973, p. 2124), relating to the extraordinary disability benefits of the City of Birmingham Retirement and Relief System, so as to provide that extraordinary disability benefits shall not be paid to any participant who joins the system on or after January 1, 1989, during any period that a disabled participant is able to perform other duties in his job classification or the customary duties of another job with that participant's employer, which duties or job has been offered to participant and which job pays a salary or wage equal to or greater than the salary or wage such participant was earning at the time of the incident causing the disability, and to provide that, for injuries occurring after January 1, 1989, the Board of Managers may waive the one-year limitation and grant an application for extraordinary disability allowance if granted within thirty-six months after the incident resulting in such disability.

By Rep. Payne:

H. 297. To propose an amendment to the Constitution of Alabama of 1901, to empower the legislature from time to time by local act to authorize or require the Jefferson County Commission to prohibit the overgrowth of weeds and the storage and accumulation of certain junk, motor vehicles and litter and to provide for the implementation, administration and enforcement of said prohibition and the assessment of certain criminal penalties; and to also provide for the validation of certain acts.

The above Bill was read a second time at length as required by the Constitution.

By Reps. Payne, Rogers, McClain, Spratt, Newton, Davis, Biddle, and Petelos (With Notice and Proof):

H. 177. Relating to Jefferson County, providing for a subsistence allowance for certain law enforcement officers.

Senator Smith (J), Chairperson of the Standing Committee on Health, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Reps. Johnson (RG), Carothers, and White (L):

H. 201. This bill amends Section 22-21-24, Code of Alabama, 1975, by increasing the fees for the license for health care facilities.

Senator Preuit, Chairperson of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Reps. Mathis and Williams:

H. 7. Proposing an amendment to the Constitution of 1901, as amended, relating to the legislative process for considering the major appropriations bills for the operations of education, the operations of the executive, legislative and judicial branches of state government, the state public debt, and the other business of state government and setting a time frame therefor; and repealing Amendment No. 448 to the Constitution of 1901, as amended, Act No. 81-889, S. 32, First Special Session 1981 (Acts 1981, First, Second and Third Special Sessions, p. 25) relating to the legislative process for certain appropriations.

The above Bill was read a second time at length as required by the Constitution.

Senator Bailey, Chairperson of the Standing Committee on Education, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Zoghby:

H. 77. This bill amends §16-8-3 and §16-8-4, Code of Alabama, 1975, relating to the scheduling of regular meetings and annual public meetings of county boards of education.

By Rep. Ford:

H. 96. To amend sections 16-33B-1, 16-33B-3 and 16-33B-4, Code of Alabama 1975, relating to the Alabama guaranteed student loan program, so as to define approved lender, student loans, Federal Student Loan Law and eligible institution; to provide program administration in accordance with the Federal Student Loan Law; to provide for basic powers and duties of the Alabama Commission on Higher Education in accordance with the Federal Student Loan Law; to promote the availability of the Alabama guaranteed student loan program; and to service loans.

Senator Horn, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Rep. Johnson (RG):

H. 319. To provide for the levy of a six percent (6%) sales tax surcharge on the sale of certain spirituous or fermented alcoholic beverages, excluding beer or other malt beverages and wines, which are sold for on-premises consumption, to be paid on a per drink basis by all clubs, bars, or other establishments which serve the aforementioned beverages; that the provisions of this act shall be administered by the department of revenue; that the commissioner of revenue shall have the authority to promulgate necessary rules and regulations for the administration and enforcement of the provisions of this act; that revenues generated by said tax shall be placed in the state's general fund.

RESOLUTION

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

S. R. 59. SPECIAL ORDER CALENDAR.

RESOLVED BY THE SENATE The following bills in the order named shall be the paramount and continuing order of business taking precedence over all other matters for the tenth legislative day of the 1988 First Special Session only:

Inst Id	Page
H. 132	39
Hazardous waste disposal, fee levied, penalties.	
H. 234	15
Ad valorem taxes, admin. reg., amnesty prog., mobile home treatment, interest rate on delinquencies, Secs. 40-7-1, 40-7-23, 40-8-1, 40-11-1, 40-12-240, 40-12-255, 40-12-256 am'd.	
H. 310	40
Insurance department, annual fees incr., Sec. 27-4-2 am'd.	
H. 156	39
Income tax, generation-skipping transfer tax, estab.	
H. 106	38
Forest products, severance tax incr., distrib. for forestry programs and fire control, Secs. 9-13-82, 9-13-84 am'd.	
S. 103	19
Acts of Alabama, 1987 Reg. Sess., codified.	
S. 161	20
Counties, req. to redraw election precincts, wards and voting dists. according to U.S. Census Bureau, reapportionment, Secs. 17-5-1 through 17-5-13 repealed.	
REGULAR ORDER OF BUSINESS	
S. 205	32
Education Dept., supp. approp. for adult basic education/community education program—.	
H. 155	26
Children's Hospital of Ala.—UAB, approp.	
H. 126	31
American Legion Scholarships, value and recipients incr., Secs. 16-31-1, 16-31-4 am'd.	
H. 21	29
Lyman Ward Military Academy, approp.	

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H. 200	28
Marion Military Institute, approp.	
H. 33	33
Shakespeare Festival, approp.	
H. 36	30
Sickle Cell Education Program, approp.	
H. 34	30
Special Education Schools, approp.	
H. 43	31
State treasurer, approp.	
H. 72	28
Sylacauga Nurses Training School, approp.	
H. 211	27
Talladega College, approp.	
H. 153	29
Tuskegee University, approp.	
H. 210	27
Walker County Junior College, approp.	
H. 57	40
Pension for governor's widow, further provided for, Sec. 36-13-12 am'd.	
S. 210	36
Public Employees' Individual Retirement Account Fund, cert. public officials and employees, st. and local, allowed to participate in fund, Secs. 36-27A-1 and 36-27A-5 am'd.	
S. 99	32
District Attorneys' spouses fund, spouses of deceased district or supernumerary district attorneys.	
S. 193	13
Trademark Act, registration of business tradenames incl., Secs. 8-12-6 through 8-12-9, 8-12-14, 8-12-16, 8-12-17 am'd.	
S. 44	5
Safety regulations for intrastate pipeline facilities.	
H. 139	32
Human Resources Dept. auth. to transfer ownership of cert. property.	

S. 29

4

Hunting, within cert. distance of roads or railroads prohib. without land owners' permission, Sec. 9-11-257 am'd.

H. 222

25

Heating and Air Conditioning Bd., sunset law review continued, distinguish service and repair, certified U. S. registered, Secs. 34-31-18, 34-31-19, 34-31-21, 34-31-24, 34-31-28, 34-31-31 am'd.

S. 196

35

Contract Review Permanent Legislative Oversight Committee, auth. further provided, Sec. 29-2-41 am'd.

On motion of Senator Drinkard, the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 42. To provide for the creation of a special account to which the Legislature shall appropriate certain funds to prevent proration in the Alabama Special Educational Trust Fund; to prescribe criteria and procedures for withdrawals from such account in years of proration or in emergency situations as may be determined by the Legislature; to make annual appropriations to such account until a certain amount is established and to provide that such amount shall be maintained in separate trust from year to year except during years of proration in the Alabama Special Educational Trust Fund and in emergencies; to prescribe procedures and criteria for reimbursement to such account after withdrawals; to provide for the retention of accrued interest; to provide for an effective date; and to repeal conflicting provisions.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Johnson (RW):

H. 360. To validate certain ad valorem taxes levied for school purposes; and to provide that ad valorem taxes levied for school purposes and approved by the voters of a county or school district for a period in excess of 30 years are valid for the period approved by voters.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 360—to the Committee on Rules

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 224. To amend Section 36-1-6.1 of the Code of Alabama 1975, relating to insurance coverage for state employees or agents of the state, so as to provide that such coverage includes individuals serving as foster parents approved by the Department of Human Resources.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 42. To provide for the creation of a special account to which the Legislature shall appropriate certain funds to prevent proration in the Alabama Special Educational Trust Fund; to prescribe criteria and procedures for withdrawals from such account in years of proration or in emergency situations as may be determined by the Legislature; to make annual appropriations to such account until a certain amount is established and to provide that such amount shall be maintained in separate trust from year to year except during years of proration in the Alabama Special Educational Trust Fund and in emergencies; to prescribe procedures and criteria for reimbursement to such account after withdrawals; to provide for the retention of accrued interest; to provide for an effective date; and to repeal conflicting provisions.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been

publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

BILLS ON THIRD READING RESUMED

Senator Bedford requested and received permission to bring up the following Bill:

H. 315. To amend Sections 1.03, 3.02, 3.14, 4.01, 4.02, 6.02 and 10.01 of Act No. 88-445, H. 963 of the 1988 Regular Session appearing in Article 1 of Chapter 44E of Title 11, Code of Alabama 1975, providing for a Mayor/Commission/City Manager form of government for Class 5 municipalities upon adoption by a municipality, so as to further provide for said form of government for Class 5 municipalities.

And said Bill, H. B. 315, was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Senators:	deGraffenried	Foshee	Manley
Bailey	Denton	Hale	Menton
Bedsole	Dial	Hand	Preuitt
Bennett	Dixon	Holmes	Sanders
Cabaniss	Drinkard	Horn	Smith (B)
Campbell	Figures	Langford	Smith (J)
Covington			

—24

Nays:

—0

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 107. To further regulate the advertising by dentists, and the fees of dentists for administering anesthesia intravenous sedation; and to further amend Sections 34-9-19, 34-9-60, 34-9-61, 34-9-63 and 34-9-64, Code of Alabama 1975, as amended, relating to fees and advertising, so as to further provide therefor.

Also:

S. 115. Relating to Madison County; to exempt from all county, local or municipal ad valorem taxes all property owned and used by the Huntsville Land Trust, Incorporated.

BILL DRINKARD,
Chairperson.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been

publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing report from the Committee on Rules.

SPECIAL ORDER

BILLS ON THIRD READING RESUMED

The Senate proceeded to consideration of the special, paramount, and continuing order of business for today, the first of which was the Bill:

H. 132. To levy a fee of \$8.00 per ton on operators of commercial sites for the disposal of hazardous waste or hazardous substances for each ton of hazardous waste or hazardous substance received for disposal and disposed of at such sites; to define certain terms; to provide for penalties and interest charge for non-compliance, departmental cost for collection, authority for rulemaking, and general record keeping requirements for commercial hazardous waste or hazardous substance disposal facility operators; and to provide that the operators of such sites shall pay all such fees levied to the State General Fund.

Senator Sanders offered the following amendment to the Bill, H. B. 132, to-wit:

AMENDMENT TO H. B. 132

Amend House Bill 132, on page 1, line 14 by striking the words "a fee" and by inserting in lieu thereof the word "fees"

Further amend on page 1, line 18 by inserting the following after the ":", "to provide a county fee";

Further amend on page 1, line 24 after the word "Fund" by inserting the following: "and for the county fee to the credit of the general fund of the county wherein hazardous waste disposal sites are located;"

Further amend on page 1, line 23 after the words "all such" by inserting the word "state";

Further amend on page 2, after line 31, by inserting the new section 4, and by re-numbering the remaining sections accordingly:

"Section 4. In addition to all fees levied heretofore or hereafter, there is also hereby levied a fee to be paid by the operators of each commercial site for the disposal of hazardous waste in the amount of \$1.00 per ton to be collected by the county and deposited to the credit of the general fund of the county wherein such commercial hazardous waste disposal site is located; and all such proceeds shall be expended for health purposes. It is further provided that all provisions relating to the state fee including date of payment, required reporting, penalties, interest, property liens, record keeping, recovery of overpayment and prosecution for violations shall also apply to the county fee levied by this section."

Further amend on page 2 line 32, after the word "All", by inserting the word "state;"

Further amend on page 7, line 24 after the word "shall" by inserting the following: "fully cooperate with county officials for the successful administration of the county fee levied in Section 4 of this act and"

MESSAGE FROM THE HOUSE

Mr. President Pro Tem:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 24. Relating to Jefferson County; to prescribe for the compensation of the Chief Deputy Sheriff of Jefferson County and to provide for the payment thereof.

Also:

H. 124. To authorize an additional county salary supplement for the District Attorney of the Thirty-Seventh Judicial Circuit; to provide that the provisions of this act shall be effective October 1, 1988.

Also:

H. 180. Relating to Jefferson County; requiring the county commission to make certain office space provisions in the new Jefferson County Sheriff's Headquarters building located at Eighth Avenue and 22nd Street, North, in the City of Birmingham for certain personnel in the sheriff's department.

Also:

H. 215. Relating to Blount County; to provide further for fire districts within the county.

Also:

H. 259. Relating to Lee County; levying a lodging tax, providing for the collection and distribution of said tax, and establishing the "Auburn-Opelika Convention and Visitors Bureau."

Also:

H. 278. Relating to Randolph County, repealing Act No. 88-328, H. 857, enacted in the Regular Session of 1988, allowing the Randolph County Health Department to set fees for service.

Also:

H. 307. Relating to Randolph County, repealing Act No. 88-328, H. 857, enacted in the Regular Session of 1988, allowing the Randolph County Health Department to set fees for service.

Also:

H. 326. Relating to Clay County, repealing Act No. 88-426, H. 938, enacted in the Regular Session of 1988, allowing the Clay County Health Department to set fees for service.

Also:

H. 338. Relating to Chambers County; abolishing the county offices of tax assessor and tax collector; providing for the establishment of a consolidated and unified system of assessment and collection of ad valorem taxes under the supervision of an elective county official designated as county revenue commissioner of said county; providing for the election and compensation of such revenue commissioner, and providing for a referendum

upon the question of whether a majority of the qualified electors of Chambers County favor a revenue commissioner.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

FURTHER CONSIDERATION OF H. B. 132

The Senate proceeded to further consideration of the Bill, H. B. 132. The question was on the amendment offered by Senator Sanders.

MESSAGE FROM THE HOUSE

Mr. President Pro Tem:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 315. To amend Sections 1.03, 3.02, 3.14, 4.01, 4.02, 6.02 and 10.01 of Act No. 88-445, H. 963 of the 1988 Regular Session appearing in Article 1 of Chapter 44E of Title 11, Code of Alabama 1975, providing for a Major/Commission/City Manager form of government for Class 5 municipalities upon adoption by a municipality, so as to further provide for said form of government for Class 5 municipalities.

Also:

H. 330. Relating to Barbour County; providing further for the funding of the offices of the tax assessor and tax collector.

Also:

H. 228. To amend Act No. 1272 of the Regular Session of the Legislature of Alabama of 1973, approved September 18, 1973, as amended, to provide for the participation of the unclassified employees of the City of Birmingham in the retirement and relief system of the City of Birmingham and to provide for related matters.

Also:

H. 312. Relating to Jefferson County; to provide for a county supplemental salary for any full-time court referee or full-time standing master in an amount equal to fifty percent (50%) of the county supplemental salary payable to their respective appointing judges, to be paid from the general fund.

Also:

H. 324. Relating to the City of Gadsden, in Etowah County, amending Section 14 of Act No. 671, H. 921 of the 1951 Regular Session (Acts 1951, Vol. II, p. 1158), as amended by Act No. 88-434, H. 59, 1988 Regular Session,

which creates and establishes, within certain cities classified on a population basis, a civil service system to govern the appointment, tenure, compensation, conditions of employment and removal of certain officers and employees of such cities, so as to provide further for the meetings of the civil service board.

Also:

H. 294. Relating to Elmore County; to amend Act No. 84-634 of the 1984 Regular Session relating to the compensation of members of the county commission, so as to alter the amount of said compensation.

Also:

H. 335. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Scottsboro in Jackson County.

Also:

H. 346. Relating to Franklin County; amending Act No. 88-562, S. 667, 1988 Regular Session (Acts 1988, p. 881), levying a county privilege, license or excise tax on the sale, distribution, storage, use or other consumption of tobacco and certain tobacco products in such county, so as to provide further for the collection and enforcement of the tax; and for the distribution of the proceeds therefrom.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

FURTHER CONSIDERATION OF H. B. 132

The Senate proceeded to further consideration of the Bill, H. B. 132. The question was on the amendment offered by Senator Sanders.

On motion of Senator Hilliard, further consideration of the Bill, H. B. 132, and pending amendment, was postponed subject to the call of the Chair.

BILLS ON THIRD READING RESUMED

THE BILL:

H. 234. To provide for revisions to the Code of Alabama 1975, dealing with ad valorem taxation, so as to offer equity and equalization in administration of ad valorem taxes, by amending the following code sections successively: Section 40-7-23, Code of Alabama 1975, as amended, to establish requirements under which a taxpayer may avoid the statutory ten percent penalty normally assessed on escaped tangible personal property ad valorem taxes, for the tax years ending on or before September 30, 1988, and to waive, upon the taxpayer's fulfilling the requirements of Section 40-7-23, the taxpayer's ad valorem tax liability on tangible personal property so assessed for the tax years ending on or before September 30, 1987; Sections 40-7-1,

40-8-1, 40-11-1, 40-12-240, 40-12-255 and 40-12-256, Code of Alabama 1975, to provide for assessment and payment of ad valorem taxes by owners of mobile homes the same as other real property and personal property owners, to identify the class of assessment for travel trailers, to eliminate the requirement for owners of mobile homes to purchase a license tag and pay the \$3.00 registration fee, to provide for the uniform identification and assessment of mobile homes, to authorize the commissioner of revenue to require that certain mobile home and ad valorem tax information be reported by real property owners on forms and through procedures prescribed by the commissioner of revenue, to require any public or private entity that provides or sells any gas or electric services to provide to the county tax assessing official, at least monthly, a list containing each mobile home to which such entity has connected gas or electric service in the county during the preceding period, together with the name of the occupant and the location of the connection, to authorize the commissioner of revenue to promulgate rules and regulations necessary to carry out the provisions of this act and to make certain grammatical and clarifying changes; Sections 40-5-9, 40-10-21, 40-10-75, 40-10-76, 40-10-77, 40-10-83, 40-10-121, 40-10-122, and 40-10-132, Code of Alabama 1975, to increase the interest rate on delinquent ad valorem taxes and on taxes paid upon redemption; and by amending Section 40-7-21, Code of Alabama 1975, establishing the class of misdemeanor for failure or refusal to provide information deemed essential to assessment of property and to authorize proper authority to audit, examine, and inspect records and property, as needed, to enforce the assessment and collection of ad valorem taxes.

having been postponed on the Seventh Legislative Day, was again taken up.

And said Bill, H. B. 234, was read a third time at length and passed.

Yeas 22; Nays 4.

Yeas:

Senators:	Cabaniss	Figures	Parsons
Amari	Campbell	Foshee	Preuitt
Bailey	deGraffenried	Hale	Rice
Bedford	Denton	Horn	Smith (B)
Bedsole	Dial	Langford	Smith (J)
Bennett	Dixon	Manley	

—22

Nays:

Senators:	Corbett	Covington	Holmes
Bishop			

—4

On motion of Senator Bedford, the Senate reconsidered the vote by which the Bill, H. B. 234, was passed.

On motion of Senator Bedford, the Senate reconsidered the vote by which the Bill, H. B. 234, was ordered to its third reading.

Senator Bedford then offered the following amendment to the Bill, H. B. 234, to-wit:

AMENDMENT TO H. B. 234

Amend House Bill 234 on page 5, line 32, by inserting the following sentence after the word "officials."

"This decal shall take the place of all other decals of any county or municipality, and there will be no other decals required."

Which was lost.

Yeas 13; Nays 14.

Yeas:

Senators:	Bennett	Figures	Langford	
Amari	Cabaniss	Hale	Rice	
Barron	Campbell	Horn	Sanders	
Bedford	deGraffenried			—13

Nays:

Senators:	Dial	Hand	Parsons	
Bedsole	Dixon	Holmes	Preuitt	
Corbett	Ellis	Manley	Smith (B)	
Covington	Foshee	Mitchem		—14

Senator Bedford then offered the following amendment No. 2 to the Bill, H. B. 234, to-wit:

AMENDMENT NO. 2 TO H. B. 234

Amend House Bill 234 on page 1 by striking lines 28 through 30 in their entirety and inserting in lieu thereof the following:

"identify the class of assessment".

Further amend House Bill 234 on page 1 by striking lines 31 through 36 and on page 2 by striking lines 1 through 8 and inserting in lieu thereof the following:

"for travel trailers, to authorize the".

Further amend House Bill 234 on page 5, lines 24 through 34, and page 6, lines 1 through 15, by deleting subsections (b), (c), and (d) in their entirety.

Further amend House Bill 234 on page 7 by striking lines 20 through 22 in their entirety and inserting in lieu thereof the following:

"(2) All residential property. Only real property, used exclusively as a single-family dwelling."

Further amend House Bill 234 on page 8 by deleting lines 15 through 26 in their entirety.

Further amend House Bill 234 on page 9 by deleting lines 9 through 11 in their entirety.

Further amend House Bill 234 on page 15 by deleting lines 15 through 17 in their entirety.

On motion of Senator Corbett, further consideration of the Bill, H. B. 234, and pending amendment, was postponed subject to the call of the Chair.

Senator Bishop requested and received permission to suspend the Rules in order to bring up the Bill:

H. 210. To make an appropriation for the support and maintenance of Walker County Junior College for the fiscal year ending September 30, 1989.

And said Bill, H. B. 210, was read a third time at length and passed.

Yeas 29; Nays 0.

Yeas:

Senators:	Cabaniss	Figures	Mitchem
Amari	Campbell	Foshee	Parsons
Bailey	Corbett	Hale	Preuitt
Barron	Covington	Hand	Rice
Bedford	deGraffenried	Holmes	Sanders
Bedsole	Denton	Langford	Smith (B)
Bennett	Dial	Manley	Smith (J)
Bishop	Dixon		

—29

Nays: —0

RESOLUTION

Senator Manley offered the following Senate Joint Resolution, to-wit:

S. J. R. 60 RELATIVE TO MEETING DAYS.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That when the two houses of the legislature adjourn on September 15th that the two houses agree to adjourn until Tuesday, September 20th.

On motion of Senator Manley, the Rules were suspended and the Resolution was adopted by the Senate.

FURTHER CONSIDERATION OF H. B. 132

The Senate proceeded to further consideration of the Bill, H. B. 132. The question was on the amendment offered by Senator Sanders.

And on motion of Senator Sanders, said amendment was laid on the table.

Senator Sanders then offered the following amendment No. 2 to the Bill, H. B. 132, to-wit:

AMENDMENT NO. 2 TO H. B. 132

Amend House Bill 132 as passed on page 1, line 14 by striking the words "fee of \$8.00"

and insert in lieu thereof the following:

"state fee of \$7.60 and a county fee of \$.40";

Further amend on page 1, line 23 by inserting the following after the words "all such" by inserting the following "state" further amend on page 1 line 24 after the word "Fund" by inserting the following: "and for the county fee, to the credit of the general fund of the county wherein hazardous waste disposal sites are located.";

Further amend on page 2, after line 31 by inserting a new Section 4 and by re-numbering the remaining sections accordingly:

Section 4. In addition to all fees levied heretofore or hereafter, expressly including the tax levied in Section 2 of this Act there is also hereby levied

a fee to be paid by the operators of each commercial site for the disposal of hazardous waste in the amount of \$.40 per ton to be collected by the county and deposited to the credit of the general fund of the county wherein such commercial hazardous waste disposal site is located; and all such proceeds shall be expended for health purposes. It is further provided that all provisions relating to the state fee including date of payment, required reporting, penalties, interest, property liens, record keeping, recovery of overpayment and prosecution for violations shall also apply to the county fee levied by this section.

Further amend on page 2 line 32, after the word "All", by inserting the word state;

Further amend on page 7, line 24 after the word "shall" by inserting the following: fully cooperate with county officials for the successful administration of the county fee levied in Section 4 of this act and

Further amend on page 2, line 24 by striking the figure "\$8.00" and by inserting in lieu thereof the figure:

"\$7.60".

Which was adopted.

Yeas 28; Nays 0.

Yeas:

Senators:	Campbell	Figures	Langford	
Amari	Corbett	Foshee	Manley	
Bailey	Covington	Hale	Parsons	
Barron	deGraffenried	Hand	Preuitt	
Bedford	Denton	Hilliard	Rice	
Bedsole	Dial	Holmes	Sanders	
Bennett	Drinkard	Horn	Smith (B)	
Cabaniss				—28

Nays: —0

And said Bill, H. B. 132, as thus amended, was read a third time at length and passed.

Yeas 31; Nays 0.

Yeas:

Senators:	Campbell	Figures	Manley	
Amari	Corbett	Foshee	Menton	
Bailey	Covington	Hale	Parsons	
Barron	deGraffenried	Hand	Preuitt	
Bedford	Denton	Hilliard	Rice	
Bedsole	Dial	Holmes	Sanders	
Bennett	Drinkard	Horn	Smith (B)	
Cabaniss	Ellis	Langford	Smith (J)	—31

Nays: —0

THE BILL:

H. 310. To amend Section 27-4-2, Code of Alabama 1975, which provides for the collection of certain fees and licenses by the Commissioner of Insurance, so as to increase certain fees.

was taken up.

On motion of Senator Hand, further consideration of the Bill was postponed subject to the call of the Chair.

THE BILL:

H. 156. To create an Alabama "generation-skipping transfer" tax which takes advantage of the state tax credit allowed in computing the federal "generation-skipping transfer" tax, thereby adding revenues to the state of Alabama without increasing the total tax liability of taxpayers.

was read a third time at length and passed.

Yeas 25; Nays 3.

Yeas:

Senators:	Campbell	Foshee	Menton	
Amari	Denton	Hale	Preuitt	
Bailey	Dial	Hand	Rice	
Barron	Dixon	Hilliard	Sanders	
Bedsole	Drinkard	Langford	Smith (B)	
Bennett	Ellis	Manley	Smith (J)	
Cabaniss	Figures			—25

Nays:

Senators:	Bedford	Corbett	Covington	—3
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THE BILL:

H. 106. To amend Sections 9-13-82 and 9-13-84, Code of Alabama 1975, as amended, which provide for the severance tax on forest products and the distribution of the proceeds thereof, so as to increase said tax and provide further for its distribution.

was read a third time at length and passed.

Yeas 27; Nays 0.

Yeas:

Senators:	Cabaniss	Ellis	Langford	
Amari	Campbell	Figures	Manley	
Bailey	Corbett	Foshee	Menton	
Barron	Covington	Hale	Preuitt	
Bedford	Denton	Hilliard	Rice	
Bedsole	Dial	Holmes	Sanders	
Bennett	Dixon	Horn	Smith (B)	—27

Nays: —0

THE BILL:

S. 103. To adopt and incorporate into the Code of Alabama 1975 those general and permanent laws of the state enacted during the 1987 Regular Session of the Legislature, as contained in the 1987 Cumulative Supplement to certain volumes of the Code and in the 1987 Replacement Volumes 7, 7A and 13 of the Code; to make corrections in certain volumes of such cumulative supplement and replacement volume 13; and to reorganize Article

5, Chapter 12, Title 13A, and Chapter 2, Title 20, as appearing in Volumes 12 and 14, respectively, of such cumulative supplement, so as to place the principal drug crime statutes in Title 13A, the Alabama Criminal Code.

was taken up.

Senator Manley offered the following amendment to the Bill, S. B. 103, to-wit:

AMENDMENT TO S. B. 103

Amend Senate Bill 103, page 2, line 32, by inserting a new subsection (3) to read as follows:

(3) § 12-19-156, Volume 11, p. 47; on third line substitute "chapter" for "act.";

and renumber remaining subsections of Section 1.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Corbett	Figures	Manley	
Amari	Covington	Foshee	Menton	
Bailey	deGraffenried	Hale	Mitchem	
Bedsole	Denton	Hand	Parsons	
Bennett	Dial	Holmes	Rice	
Cabaniss	Dixon	Langford	Smith (B)	
Campbell	Ellis			—25

Nays: —0

And said Bill, S. B. 103, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 27; Nays 0.

Yeas:

Senators:	Campbell	Ellis	Langford	
Amari	Corbett	Figures	Manley	
Bailey	Covington	Foshee	Menton	
Bedford	deGraffenried	Hale	Mitchem	
Bedsole	Denton	Hand	Preuitt	
Bennett	Dial	Hilliard	Rice	
Cabaniss	Dixon	Holmes	Sanders	—27

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has non-concurred in the Senate amendment to the Bill:

H. 142. To amend section 32-7-4, Code of Alabama 1975, relating to fees for abstracts of driving records, so as to increase the fee for an abstract of a driving record from \$4.00 to \$5.50.

and requests a Committee on Conference.

And the Speaker of the House has appointed as Conferees on part of the House, Representatives: Crow, Harvey, and Flowers.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Manley, the Senate acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill, H. B. 142, the title of which is set out in the foregoing Message from the House.

Yeas 22; Nays 0.

Yeas:

Senators:	Campbell	Dixon	Holmes
Amari	Corbett	Ellis	Manley
Bailey	Covington	Figures	Parsons
Bedford	deGraffenried	Foshee	Preuitt
Bennett	Denton	Hale	Rice
Cabaniss	Dial	Hand	

—22

Nays: —0

And the President and Presiding Officer of the Senate appointed as Committee on the part of the Senate Senators Parsons, Horn, and Preuitt.

BILLS ON THIRD READING RESUMED

THE BILL:

S. 161. To require county governing bodies to establish precincts, wards and voting districts based on clearly visible, definable and observable physical boundaries based on U. S. Census Bureau criteria not later than March 15, 1989; to provide for participation by Alabama in programs of the Census Bureau for census data for purposes of reapportionment; to define terms; to require the counties to provide and maintain maps of said precincts, wards and voting districts to the probate judge, board of registrars and the secretary of state; to provide for the maximum number of voters in voting districts; to provide for the designation of places of voting; to require the certification of lists of eligible voters by the probate judge; to provide for boxes and machines for elections; to provide for the posting of boundaries of precincts, wards or voting places and for the changing of precinct, ward and voting district boundaries and changes in places of voting; to provide for the enforcement of this act; to provide that the Reapportionment Task Force shall be the official state liaison between the state, the counties and the U. S. Census Bureau for purposes of implementing the provisions of this act; to require cooperation by all county, municipal and state agencies and officials with the Reapportionment Task Force; and to specifically supersede and repeal Sections 17-5-1 through 17-5-13, Code of Alabama 1975, effective March 15, 1989.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 26; Nays 0.

Yeas:

Senators:	Corbett	Foshee	Menton	
Amari	Covington	Hale	Mitchem	
Bailey	deGraffenried	Hand	Preuitt	
Bedford	Dial	Holmes	Rice	
Bedsole	Dixon	Horn	Sanders	
Cabaniss	Ellis	Langford	Smith (B)	
Campbell	Figures	Manley		—26

Nays: —0

RESOLUTION

Senator Smith (B) offered the following Senate Joint Resolution, to-wit:

S. J. R. 61. RECOGNIZING THE EXEMPLARY PUBLIC SERVICE OF JOE W. DAVIS TO THE CITY OF HUNTSVILLE AND TO THE STATE OF ALABAMA.

WHEREAS, Joe W. Davis, on October 3, 1988, will complete 20 years of exemplary service to the City of Huntsville as its Mayor; and

WHEREAS, prior to becoming Mayor of the City of Huntsville, he served in the U. S. Navy during World War II, was a public school teacher and principal, and also served 3 1/2 years as Administrative Assistant to the then Mayor of the City of Huntsville; and

WHEREAS, he became Mayor of the City of Huntsville at a time when the completion of man's first voyage to the moon atop a Huntsville-built Saturn V had resulted in Huntsville's space oriented economy; and

WHEREAS, under his leadership the City of Huntsville developed a diversified economy, based upon a desirable balance of research and development, high-tech, and basic industries, with an infrastructure of public services enabling it to serve not only the City itself, but also the region of North Alabama and South Tennessee of which it is the center; and

WHEREAS, the leadership of Joe W. Davis also resulted in the emergence of a stable labor force in the region, available to serve the broad range of both traditional and high-tech industries; and

WHEREAS, during his term, City of Huntsville financial operations finished in the black during each year of his service; and

WHEREAS, his sound management brought about budgetary and fiscal controls, including the adoption of both annual and 5-year capital budgets, which combined with the institution of nationally accepted and recognized accounting and auditing procedures resulted in the General Fund credit of the City of Huntsville being rated AA by Moody's Financial Services, the highest such rating of General Fund credit of a city in the State of Alabama, and an excellent rating compared with all cities generally in the United States; and

WHEREAS, under the leadership of Joe W. Davis, the City of Huntsville made the following significant achievements:

Four sewage treatment plants were upgraded to national standards and three new treatment plants were built, making a combined system capacity

of 54.7 MGD, and bringing the system into compliance with national EPA standards, which system can easily be expanded to serve all of Madison County, and also that part of Limestone County which is in the City of Huntsville.

Thirty thousand acres of land were annexed into the corporate limits of the City of Huntsville, bringing the total land area of the City of Huntsville to 155 square miles.

The Von Braun Civic Center was planned and constructed, consisting of a 10,000 seat arena; a 2,200 seat Concert Hall; a 400 seat Little Theatre; and 23,420 square foot Art Museum; a 28,000 square foot Exhibit Hall; and a 23,000 square foot Banquet Hall, all at an initial cost of 22 million dollars and with an estimated replacement cost of 66 million dollars, resulting in Huntsville's becoming a regional entertainment, cultural, and Convention Center.

Constitution Hall Park, a re-creation of the one half block area where Alabama's first Constitution was adopted, was planned, built, and successfully operated as an historic museum and as a regional tourist attraction.

The pre-Civil War Memphis and Charleston Railroad Depot was acquired and converted into a transportation museum and tourist attraction.

Twelve neighborhood parks, totaling approximately 150 acres were acquired, improved and opened.

Four neighborhood recreation centers were built and opened, at a cost of 2.04 million dollars.

The Municipal Golf Course was redesigned, reconstructed, and opened as one of the finest municipal golf courses in the country.

A 30,440 square foot Natatorium, at a cost of 1.5 million dollars was planned, constructed, and placed into operation, resulting in Huntsville's becoming the site of national swim meets.

There were 452 new and expanded industries in the City of Huntsville during his tenure—resulting in 44,000 new jobs created—and in the process Huntsville developed a diversified economy and became a regional employment center, capable of attracting and serving the needs of state-of-the-art high-tech industries and also traditional basic industries—all at least partially due to the acquisition, upon the recommendation of Joe W. Davis, of 880 acres of industrial park property by the City of Huntsville.

The 10,000 seat multi-purpose stadium was built, and named Joe W. Davis Stadium, in honor of his leadership in its establishment, which became the home of the Double A baseball team, "The Huntsville Stars."

A 690 ton per day waste-to-steam plant, to burn Huntsville's municipal solid waste and sewage sledge, and to provide steam to Redstone Arsenal, was under construction under a 25-year agreement with Redstone Arsenal, which is expected to lead to Huntsville becoming a national leader in municipal solid waste disposal.

Regional shopping centers were constructed and Huntsville became a regional retail center.

Regional medical facilities were constructed and Huntsville became a regional medical center.

The Ditto Landing Marina was constructed to serve the region with more water oriented recreation facilities.

A new ten million dollar City Library was constructed and placed into operation, also serving Madison County and the region.

Huntsville and Madison County developed an International Airport, multi-modal facility, and Airport Industrial Park serving the region as a transportation and employment center; and

WHEREAS, he has also served in many significant local and national offices, all of which have benefited the City of Huntsville and the State of Alabama, as follows:

Member of the National League of Cities Advisory Council;

Member of the Executive Committee of the Alabama League of Municipalities;

Member of the Legislative Committee of the Alabama League of Municipalities;

Member of the Alabama League of Municipalities

Committee on Community and Economic Development;

Past President of the Alabama League of Municipalities;

Past President of the North Alabama Mayors Association;

Member of the U. S. Conference of Mayors Standing Committee on Community Development, Housing and Economic Development;

Member of the Budget and Audit Committee of the U. S. Conference of Mayors;

Member of the National League of Cities Community and Economic Development Steering Committee;

Recipient of Honorary Doctorate Degree in Management from Southeastern Institute of Technology, 1981;

Past Commander of VFW Post 2702;

Past Jr. and Sr. Vice Commander of VFW, State of Alabama;

Former deacon, Central Presbyterian Church, Huntsville;

Past President of the Top of Alabama Regional Council of Governments;

Recipient of the Fiorello LaGuardia Award as Mayor of the Year, 1975, a national award presented by the National Fraternal Order of Eagles;

Member of the Alabama Space Science Exhibit Commission;

Past Member of the State of Alabama Armory Commission;

Recipient of the 1979 Good Government Award presented by the Huntsville Jaycees;

Listed in Who's Who In America;

Recipient of the North Alabama 1985 Administrator of the Year Award given by the North Alabama Chapter of the American Society for Public Administration; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, For and on behalf of all of the people of Alabama, that the exemplary public service of Joe W. Davis to the State of Alabama, and to the City of Huntsville, is hereby recognized, and the gratitude and appreciation of the people of Alabama to Joe W. Davis for said service is hereby formally and officially expressed.

BE IT FURTHER RESOLVED, That this resolution be spread upon the official Journals of the House and Senate of Alabama, and when properly approved by the Governor, be filed for record in the Office of the Secretary of State of the State of Alabama, and that a copy be presented to Joe W. Davis.

On motion of Senator Smith (B), the Rules were suspended and the Resolution was adopted by the Senate.

FURTHER CONSIDERATION OF H. B. 234

The Senate proceeded to further consideration of the Bill, H. B. 234. The question was on the amendment No. 2 offered by Senator Bedford.

On motion of Senator Bedford, said amendment was laid on the table.

Senator Bedford then offered the following amendment No. 3 to the Bill, H. B. 234, to-wit:

AMENDMENT NO. 3 TO H. B. 234

Amend House Bill 234 on page 5, line 32, by inserting the following sentence after the word "officials."

"This decal shall take the place of all other decals of any county or municipality, and there will be no other decals required. Said decal shall be proof of payment of said registration fee; and no local taxing authorities shall impose any other registration fee that is in addition to the fee provided for herein. However the payment of said fee shall not preclude the payment of duly enacted local taxes."

Which was adopted.

Yeas 25; Nays 1.

Yeas:

Senators:	Campbell	Hand	Menton
Amari	Covington	Hilliard	Mitchem
Bailey	deGraffenried	Holmes	Preuitt
Bedford	Dial	Horn	Rice
Bedsole	Dixon	Langford	Sanders
Bennett	Foshee	Manley	Smith (B)
Cabaniss	Hale		

—25

Nay: Senator Ellis

—1

And said Bill, H. B. 234, as thus amended, was again read a third time at length and passed.

Yeas 22; Nays 4.

Yeas:

Senators:	Campbell	Hand	Mitchem	
Amari	deGraffenried	Hilliard	Preuitt	
Bailey	Dial	Horn	Rice	
Bedsole	Dixon	Langford	Sanders	
Bennett	Foshee	Manley	Smith (B)	
Cabaniss	Hale	Menton		—22

Nays:

Senators:	Corbett	Ellis	Holmes	
Bedford				—4

POINT OF PERSONAL PRIVILEGE

Senator Dixon requested that the Journal show that he was under the impression that the amendment to H. B. 132 was adding \$.40 to the \$8.00 per ton deposit fee to be dedicated to the county government of Sumter County. When informed by the Fiscal Office that the amendment had given up \$.40 of the \$8.00 dumping fee the bill dedicated to the State General Fund, Senator Dixon attempted to reconsider the vote in order to have the opportunity to vote against the proposal. Because the Bill had already been transmitted to the House of Representatives, he was unable to do so; therefore, he requested that these comments be spread upon the Journal.

FURTHER CONSIDERATION OF H. B. 310

The Senate proceeded to further consideration of the Bill, H. B. 310.

Senator Hand offered the following substitute for the Bill, H. B. 310, to-wit:

SUBSTITUTE FOR H. B. 310

**A BILL
TO BE ENTITLED
AN ACT**

To amend Sections 27-4-2, 27-7-7, 27-8-5 and 27-39-6, Code of Alabama 1975, which provide for the collection of certain fees and licenses, so as to increase certain fees.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 27-4-2, Code of Alabama 1975, is hereby amended to read as follows:

Section 27-4-2. Fee schedule.

(a) The commissioner of insurance shall collect in advance fees, licenses and miscellaneous charges as follows:

(1) Certificate of authority:

a. Initial application for original certificate of authority, including the filing with the commissioner of all documents incidental thereto\$ ~~25.00~~ 500.00

b. Issuance of original certificate of authority ~~20.00~~ 250.00

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c. Annual continuation or renewal fee	200.00	250.00
d. Reinstatement fee	50.00	250.00
(2) Charter documents, filing with the commissioner amendment to articles of incorporation or of association, or of other charter documents or to bylaws	5.00	50.00
(3) Solicitation permit, filing application and issuance	25.00	250.00
(4) Annual statement of insurer, except when filed as part of application for original certificate of authority, filing	10.00	50.00
<u>(5) Agent's license (resident or nonresident agents):</u>		
<u>a. Property, casualty and surety agents:</u>		
1. Filing application for license		10.00
2. Appointment of agent by insurer, property and casualty, each insurer		5.00
3. Annual continuation of appointment, property and casualty, each insurer		5.00
<u>b. Life and disability insurance agents (resident agents):</u>		
1. Original license, each insurer		5.00
3. Annual continuation of license, each insurer		5.00
<u>c. Life and disability nonresident agents:</u>		
1. Original license, each insurer		26.00
2. Annual continuation of license, each insurer		26.00
<u>(5) Agent Licenses and Appointments:</u>		
<u>a. Property, casualty and surety agents (resident or nonresident):</u>		
1. Application fee (For filing of application for license or appointment)		20.00
2. Appointment fee (For appointment of agent by insurer and annual renewal of appointment, each insurer)		
(a) All classification except comprehensive property, casualty and surety, each classification		15.00
(b) Comprehensive property, casualty and surety		30.00
<u>b. Life and disability resident agents</u>		
1. Application fee (For filing of application for license		20.00
2. License fee (For original license and each annual renewal)		15.00
<u>c. Life and disability nonresident agents</u>		
1. Application fee (For filing application for license)		20.00
2. License fee (For original license and each annual renewal)		50.00
<u>d. Examination fees (For filing application for examination or reexamination of resident agent or broker)</u>		

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<u>1. Each classification of examination except comprehensive property, casualty and surety</u>	<u>10.00</u>
<u>2. Comprehensive property, casualty and surety</u>	<u>30.00</u>
<u>d e. Each vending machine licensed under section 27-8-23, each year</u>	<u>5.00 25.00</u>
(6) Broker's license (resident or nonresident brokers):	
a. Filing application for license	10.00 20.00
b. Issuance of license	26.00 50.00
c. Annual continuation of license	26.00 50.00
(7) Solicitor's license, annual continuation	20.00
a. Filing application for license	10.00
b. Issuance of license	5.00
e. Annual continuation of license	5.00
(8) General agent's license:	
a. Filing application for license	10.00 30.00
b. Issuance of license, property and casualty, each insurer	5.00 100.00
c. Annual continuation of license, each insurer	5.00 100.00
(9) Service representative's licenses:	
a. Filing application for license	10.00 20.00
b. Issuance of license, property and casualty, each insurer .	5.00 20.00
c. Annual continuation of license, property and casualty, each insurer	5.00 20.00
(10) Temporary license:	
a. As resident agent, each insurer, property, casualty and life	5.00
b. As resident broker	26.00
c. As solicitor	5.00
(11) Examination for agent, broker or solicitor license, resident and nonresident, filing application for examination or reexamination, each classification of examination	5.00
(12) (10) Surplus line broker license, each license year	26.00 50.00
(13) (11) Adjusters:	
a. License	26.00 50.00
b. Annual continuation of license	26.00 50.00
(14) (12) Miscellaneous services:	
a. For copies of documents, records on file in insurance department, per page	50 1.00

b. For each certificate of the commissioner under his seal, other than agent licenses 1.00 5.00

(15) (13) The commissioner is hereby authorized and directed to collect a fee of ~~\$5.00~~ \$25.00 when in acting as agent or attorney for any insurance company, fraternal benefit society, mutual aid association or credit union, he accepts the service of legal process as provided by the laws of this state. He shall refuse to receive and file or serve any process unless such process is accompanied by the aforementioned fee, which shall be taxed as costs in the action.

(b) The commissioner shall promptly pay all fees and licenses collected under this section into the state treasury to the credit of the general fund.

Section 2. Section 27-7-7, Code of Alabama 1975, is hereby amended to read as follows:

(a) The commissioner shall not issue any license except upon application therefor as in this chapter provided. Each applicant for a license shall file with the commissioner his written application therefor signed by him and showing:

(1) His name, age and place of residence;

(2) The kinds of insurance to be transacted under the license and the insurer or insurers he proposes so to represent;

(3) The person, firm or corporation by whom he expects to be employed or associated with as such licenses and his status as an officer or representative thereof;

(4) Whether he proposes to write or solicit insurance of his own risks and interest, or those of his relatives, any firm or corporation in which he is financially interested or connected, directly or indirectly, or of his employer;

(5) A short business history of the applicant and the name and nature of any business enterprise with which he may be associated;

(6) The extent of his formal education and business experience or apprenticeship;

(7) Whether he has ever applied previously for license or been licensed to transact any kind of insurance business in this state or elsewhere and whether any such license was ever refused, suspended or revoked;

(8) Whether any insurer or managing general agent claims that he is in default as to premiums or other moneys collected and not accounted for and, if so, the details thereof and like information as to any member of his family who is then, or has theretofore been, engaged in the insurance business; and

(9) Any additional information reasonably required by the commissioner.

(b) If the applicant for an agent's or broker's license is a partnership or corporation, the application shall show, in addition, names of every member of the partnership and every officer, director, stockholder and employee of the corporation personally engaged in this state in soliciting

or negotiating policies of insurance. Each such member, officer, director, stockholder or employee shall furnish information with respect to himself as part of the application, as though for an individual license, and shall otherwise meet the requirements for an individual license.

(c) Partnerships and corporations shall file their organizational documents with the commissioner, accompanied by an initial filing fee of \$50.00. The license shall continue in effect, subject to an annual fee of \$50.00, unless cancelled, suspended or revoked. Each partnership and corporation shall file with the commissioner any change in its organization accompanied by a fee in the amount of ~~\$5.00~~ \$10.00.

(d) At the time of filing his original application for license, the applicant shall pay to the commissioner the application fee and the fees for any examinations required under section 27-7-10 as specified in section 27-4-2. Such fees shall not be returnable. Appointment fees, as required in Section 27-4-2, shall be paid as to each individual included in the application for a partnership or corporation license.

(e) If the commissioner has contracted with a qualified testing institution as provided for in section 27-7-11(c), fees approved for such services by the commissioner may, at the commissioner's discretion, be paid directly to such testing institution and such fee shall be in lieu of ~~but not in excess of~~ the fees for the examination required under section 27-7-10 as specified in section 27-4-2.

Section 3. Section 27-8-5, Code of Alabama 1975, is hereby amended to read as follows:

(a) The commissioner shall not issue any license except upon application therefor as provided in this section. Each applicant for a license as an agent or broker shall file with the commissioner his written application therefor signed by him, verified by his oath and showing:

(1) Applicant's full name, residence, age, occupation and place of business for five years next preceding the date of the application;

(2) Whether applicant has ever held a license to solicit insurance contracts in any state;

(3) Whether applicant has ever been refused or has had suspended or revoked any license to solicit insurance contracts in any state;

(4) What insurance experience, if any, he has had;

(5) What instruction in insurance and in the insurance laws of this state he has had or expects to have;

(6) Whether any insurer claims that applicant is indebted to the insurer under any agency contracts or otherwise and, if so, the name of the claimant, nature of the claim and applicant's defense thereto;

(7) Whether applicant has had any agency contract cancelled and, if so, when, by what insurer and the reason for the cancellation;

(8) Whether applicant will devote all, or part of, his efforts to acting as an insurance agent and, if part time only, how much time he expects to devote to work as an agent or broker and in what other business, or businesses, he is engaged or employed;

(9) Whether, if applicant is married, the spouse has ever applied for or held a license to solicit insurance in any state and whether any such license has ever been refused, suspended or revoked; and

(10) Such other information as the commissioner may reasonably require.

(b) The application for an agent's license shall be accompanied by a certificate on forms furnished by the commissioner and signed by an officer or duly authorized representative of the insurer stating, if true, that the insurer has investigated the character and background of the applicant and is satisfied that he is trustworthy and qualified to act as its agent and to hold himself out in good faith to the general public as an agent and that the insurer desires that the applicant be licensed as an agent of the insurer as defined in subsection (a) of section 27-8-1.

(c) If the applicant for an agent's or broker's license is a partnership or corporation, the application shall show, in addition, names of every member of the partnership and every officer, director, stockholder and employee of the corporation personally engaged in this state in soliciting or negotiating policies of insurance. Each such member, officer, director, stockholder or employee shall furnish information with respect to himself as part of the application, as though for an individual license, and shall otherwise meet the requirements for an individual license.

(d) Partnerships and corporations shall file their organizational documents with the commissioner accompanied by an initial filing fee of ~~\$25.00~~ \$50.00. The license shall continue in effect, subject to an annual fee of ~~\$25.00~~ \$50.00, unless cancelled, suspended or revoked. Each partnership and corporation shall file with the commissioner any change in its organization accompanied by a fee in the amount of ~~\$5.00~~ \$10.00.

(e) When filed, the application shall be accompanied by the examination filing fee specified in section 27-4-2 if the applicant is subject to an examination under this chapter. Any such fee shall not be subject to refund, whether or not the applicant in fact takes an examination. An additional license fee shall be paid as to each individual included in the application for a partnership or corporation license.

(f) Prior to issuance of a license as an insurance broker, the applicant shall file with the commissioner and, thereafter for as long as the license remains in effect, shall keep in force a bond in the penal sum of not less than \$20,000.00 with an authorized corporate surety approved by the commissioner. The aggregate liability of the surety for any and all claims on any such bond shall in no event exceed the penal sum thereof. No such bond shall be terminated unless at least 30 days' prior written notice thereof is given by the surety to the licensee and the commissioner. Upon termination of the license for which the bond was in effect, the commissioner shall notify the surety within 10 working days.

(g) All surety protection under this section is to inure to the benefit of the aggrieved parties.

Section 4. Section 27-39-6, Code of Alabama 1975, is hereby amended to read as follows:

(a) Within 30 days after January 1, 1972, every automobile club or association organized and/or operating in the state of Alabama shall file with the commissioner an application for a certificate of authority to

continue said operations within the state, and every automobile club or association desiring to commence operations within the state shall, prior to the commencement of said operation, file application with and receive a certificate of authority from the commissioner. No certificate of authority shall be issued until the automobile club or association has paid to the commissioner ~~\$200.00~~ \$250.00 as an annual license fee, which fee shall not be returnable. Licenses shall be issued for the period beginning January 1 of each year and shall expire on the following December 31. The commissioner shall deposit all fees collected in the state treasury to the credit of the general fund.

(b) The following documents and information shall be filed with the application of all such clubs and associations:

(1) The sum of \$25,000.00 in cash or securities, as approved by the commissioner and deposited in trust with the state treasurer or, in lieu thereof, a surety bond payable to the commissioner in the amount of \$25,000.00 of a surety company authorized to do business in this state conditioned upon the full compliance with this chapter and the faithful performance of the obligations of such club or association to its members. The bonds shall be approved by the commissioner and shall not be cancelled without 30 days' notice to the commissioner. If such bond is filed, any person defrauded or injured by any wrongful act, misrepresentation or failure on the part of a motor club with respect to selling or rendering of any service may maintain an action on such bond in his own name. Upon receipt of notice of the intended dissolution of such automobile club or association and upon receipt of notice of evidence satisfactory to the commissioner that all obligations of the club or association to its members and creditors have been satisfied, the state treasurer, upon written authorization from the commissioner, shall refund said money or securities and the obligations of said bond shall terminate;

(2) Appointment of an agent for service of process who shall be a resident of the state of Alabama or, in lieu thereof, the commissioner; and

(3) A copy of the proposed form of membership application, membership certificate, bylaws, contracts for service and any other material, including advertising matter, requested by the commissioner.

(c) If the commissioner shall be satisfied that the applicant is competent and trustworthy and possesses the professional ability to perform the services and that he meets all the requirements of this chapter, he shall issue to the applicant a certificate of authority to conduct the business of such automobile club or association within this state.

Section 5. It is the legislative intent that nothing in this act shall be construed to affect the Special Examination Revolving Fund, as provided for in Section 27-2-25, Code of Alabama 1975, or the State Fire Marshal's Fund, as provided for in Section 24-5-10, Code of Alabama 1975.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

On motion of Senator Hand, further consideration of said Bill, H. B. 310, and pending substitute, was postponed subject to the call of the Chair.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate Bill and returns same herewith to the Senate.

S. 149. To provide for a voluntary check-off designation on state income tax returns for the 1988 tax year and each year thereafter for the Alabama Veterans' Home Program; to provide the form for such designation; to provide for the crediting to the Department of Veterans' Affairs of the total amount designated for nursing home and health care services for aged and disabled veterans in Alabama; and to provide for an effective date.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Rice, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 149, the title of which is set out in the foregoing Message from the House, to-wit:

AMENDMENT TO S. B. 149

Amend S. B. 149, Page 1, line 15 by striking the numerals ~~1988~~ and inserting therein 1989.

Further amend S. B. 149, Page 2, line 8 by striking the numerals ~~1988~~ and inserting therein 1989.

Further amend S. B. 194, Page 3, line 5 by striking the word "~~immediately~~" and insert in place thereof, the new language "for income tax years beginning January 1, 1989."

Yeas 22; Nays 0.

Yeas:

Senators:	Corbett	Hale	Menton	
Amari	Denton	Hand	Mitchem	
Bedford	Dixon	Hilliard	Rice	
Bedsole	Ellis	Horn	Sanders	
Bennett	Figures	Langford	Smith (J)	
Campbell	Foshee	Manley		— 22

Nays: — 0

FURTHER CONSIDERATION OF S. B. 202

The Senate proceeded to further consideration of the Bill, S. B. 202.

And said Bill, S. B. 202, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Campbell	Goodwin	Manley	
Amari	Corbett	Hale	Menton	
Bailey	Denton	Hand	Parsons	
Bedford	Dial	Hilliard	Preuitt	
Bennett	Dixon	Horn	Rice	
Bishop	Ellis	Langford	Sanders	
Cabaniss	Foshee			—25

Nays: —0**FURTHER CONSIDERATION OF H. B. 85**

The Senate proceeded to further consideration of the Bill, H. B. 85.

And said Bill, H. B. 85, was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Campbell	Goodwin	Manley	
Amari	Corbett	Hale	Menton	
Bailey	Denton	Hand	Parsons	
Bedford	Dial	Hilliard	Preuitt	
Bennett	Dixon	Horn	Rice	
Bishop	Ellis	Langford	Sanders	
Cabaniss	Foshee			—25

Nays: —0**BILLS ON THIRD READING RESUMED**

Senator Corbett requested and received permission to suspend the Rules in order to bring up the following Bill:

H. 155. To make a supplemental appropriation from the Alabama Special Education Trust Fund to the Children's Hospital of Alabama in Birmingham, Alabama, for the fiscal year 1988-89, and to require an operations plan and audited financial statement prior to release of any funds.

And said Bill, H. B. 155, was read a third time at length and passed.

Yeas 29; Nays 0.

Yeas:

Senators:	Campbell	Figures	Langford	
Amari	Corbett	Foshee	Manley	
Bailey	Covington	Hale	Menton	
Barron	deGraffenried	Hand	Mitchem	
Bedford	Denton	Hilliard	Rice	
Bedsole	Dial	Holmes	Sanders	
Bennett	Dixon	Horn	Smith (B)	
Cabaniss	Ellis			—29

Nays: —0

THE BILL:

H. 126. To amend sections 16-31-1 and 16-31-4 of the Code of Alabama 1975 relating to the American Legion Scholarships so as to increase the value of the scholarships and to increase the number of scholarships awarded, except for persons currently receiving the scholarships shall remain at the current rate.

was read a third time at length and passed.

Yeas 29; Nays 0.

Yeas:

Senators:	Campbell	Figures	Langford	
Amari	Corbett	Foshee	Manley	
Bailey	Covington	Hale	Menton	
Barron	deGraffenried	Hand	Mitchem	
Bedford	Denton	Hilliard	Rice	
Bedsole	Dial	Holmes	Sanders	
Bennett	Dixon	Horn	Smith (B)	
Cabaniss	Ellis			—29

Nays: —0

THE BILL:

H. 21. To make an appropriation for the support and maintenance of Lyman Ward Military Academy for the fiscal year ending September 30, 1989.

was read a third time at length and passed.

Yeas 29; Nays 0.

Yeas:

Senators:	Campbell	Figures	Langford	
Amari	Corbett	Foshee	Manley	
Bailey	Covington	Hale	Menton	
Barron	deGraffenried	Hand	Mitchem	
Bedford	Denton	Hilliard	Rice	
Bedsole	Dial	Holmes	Sanders	
Bennett	Dixon	Horn	Smith (B)	
Cabaniss	Ellis			—29

Nays: —0

THE BILL:

H. 200. To make an appropriation for the support and maintenance of Marion Military Institute for the fiscal year ending September 30, 1989.

was read a third time at length and passed.

Yeas 29; Nays 0.

Yeas:

Senators:	Campbell	Figures	Langford
Amari	Corbett	Foshee	Manley
Bailey	Covington	Hale	Menton
Barron	deGraffenried	Hand	Mitchem
Bedford	Denton	Hilliard	Rice
Bedsole	Dial	Holmes	Sanders
Bennett	Dixon	Horn	Smith (B)
Cabaniss	Ellis		

—29

Nays:

—0

THE BILL:

H. 33. To make an appropriation of \$750,000 from the Alabama Special Educational Trust Fund to the Alabama Shakespeare Festival for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

was read a third time at length and passed.

Yeas 29; Nays 0.

Yeas:

Senators:	Campbell	Figures	Langford
Amari	Corbett	Foshee	Manley
Bailey	Covington	Hale	Menton
Barron	deGraffenried	Hand	Mitchem
Bedford	Denton	Hilliard	Rice
Bedsole	Dial	Holmes	Sanders
Bennett	Dixon	Horn	Smith (B)
Cabaniss	Ellis		

—29

Nays:

—0

THE BILL:

H. 36. To make an appropriation from the State General Fund and the Alabama Special Educational Trust Fund for the fiscal year 1988-89 for the use of a sickle cell education program.

was taken up.

The Standing Committee on Finance and Taxation reported the following substitute for the Bill, H. B. 36, to-wit:

SUBSTITUTE FOR H. B. 36

A BILL
TO BE ENTITLED
AN ACT

To make an appropriation from the State General Fund and the Alabama Special Educational Trust Fund for the fiscal year 1988-89 for the use of a sickle cell education program.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. For the fiscal year 1988-89 there is hereby appropriated from the State General Fund the sum of four hundred ~~eleven thousand five hundred sixty one dollars (\$411,561)~~ for the fifty thousand dollars (\$450,000) for the use of a sickle cell education program, as follows:

1. Jefferson County Sickle Cell/Detection Committee, Inc.	\$131,661
2. Sickle Cell Disease Association of Gulf Coast, Alabama	\$104,055
3. Sickle Cell Foundation of Greater Montgomery, Inc.	\$44,752
4. Southeast Alabama Sickle Cell Association	\$96,093
5. West Alabama Sickle Cell	\$35,000
6. The Children's Hospital	\$38,439

Section 2. For the fiscal year 1988-89 there is hereby appropriated from the Alabama Special Educational Trust Fund the ~~sum of two hundred two thousand fifteen dollars (\$202,015)~~ for the sum of two hundred forty-two thousand fifteen dollars (\$242,015) for the use of a sickle cell education program, as follows:

1. Jefferson County Sickle Cell®Detection Committee, Inc.	\$75,892
2. Sickle Cell Disease Association of Gulf Coast, Alabama	\$45,091
3. Sickle Cell Foundation of Greater Montgomery, Inc.	\$19,392
4. Southeast Alabama Sickle Cell Association	\$41,640
5. Northeast Alabama Sickle Cell Education Program	\$10,000
6. Tri-County Southwest Sickle Cell	\$10,000
	<u>\$50,000</u>

Section 3. Prior to release of any funds appropriated under this bill for fiscal year 1988-89, an operations plan for fiscal year 1987-88 and an audited financial statement for all operations during fiscal year 1986-87 must be forwarded to the Director of Finance. It is the intent to release fiscal year 1988-89 funds following receipt of these reports.

Section 4. This act shall become effective on October 1, 1988.

Which was adopted.

Yeas 29; Nays 0.

Yeas:

Senators:	Campbell	Figures	Langford
Amari	Corbett	Foshee	Manley
Bailey	Covington	Hale	Menton
Barron	deGraffenried	Hand	Mitchem
Bedford	Denton	Hilliard	Rice
Bedsole	Dial	Holmes	Sanders
Bennett	Dixon	Horn	Smith (B)
Cabaniss	Ellis		

—29

Nays:

—0

And said Bill, H. B. 36, as thus amended by the substitute, was read a third time at length and passed.

Yeas 29; Nays 0.

Yeas:

Senators:	Campbell	Figures	Langford	
Amari	Corbett	Foshee	Manley	
Bailey	Covington	Hale	Menton	
Barron	deGraffenried	Hand	Mitchem	
Bedford	Denton	Hilliard	Rice	
Bedsale	Dial	Holmes	Sanders	
Bennett	Dixon	Horn	Smith (B)	
Cabaniss	Ellis			—29

Nays: —0

THE BILL:

H. 34. To make an appropriation for the support and maintenance of the Special Schools for Special Education for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

was taken up.

The Standing Committee on Finance and Taxation reported the following amendment No. 4 to the Bill, H. B. 34, to-wit:

AMENDMENT NO. 4 TO H. B. 34

Amend House Bill 34 on Page 1, by striking Lines 21 and 22 in their entirety and inserting in lieu thereof the following:

“ending September 30, 1989, the sum of one million seven hundred forty-five thousand seven hundred sixty-nine dollars (\$1,745,769), out”

Further amend House Bill 34 on Page 2, after Line 24 by inserting the following:

“w. Valley Haven School 25,000”

On motion of Senator Rice, said amendment was laid on the table.

The Standing Committee on Finance and Taxation then reported the following amendment No. 3 to the Bill, H. B. 34, to-wit:

AMENDMENT NO. 3 TO H. B. 34

Amend House Bill 34 on Page 1, by striking Lines 21 and 22 in their entirety and inserting in lieu thereof the following:

“ending September 30, 1989, the sum of one million seven hundred twenty thousand seven hundred and sixty-nine dollars (\$1,720,769), out”

Further amend House Bill 34 on Page 2, Line 6 by striking the figure “45,000” and inserting in lieu thereof the figure “50,000”.

On motion of Senator Rice, said amendment was laid on the table.

The Standing Committee on Finance and Taxation then reported the following amendment No. 2 to the Bill, H. B. 34, to-wit:

AMENDMENT NO. 2 TO H. B. 34

Amend House Bill 34 on Page 1, by striking Lines 21 and 22 in their entirety and inserting in lieu thereof the following:

“ending September 30, 1989, the sum of one million seven hundred fifteen thousand seven hundred sixty-nine dollars (\$1,715,769), out”

Further amend House Bill 34 on Page 2, after Line 24 by inserting the following:

“v. Children’s Hands-On Museum in Tuscaloosa 35,000”

On motion of Senator Rice, said amendment was laid on the table.

The Standing Committee on Finance and Taxation then reported the following amendment No. 1 to the Bill, H. B. 34, to-wit:

AMENDMENT NO. 1 TO H. B. 34

Amend House Bill 34 on Page 1, by striking Line 22 in its entirety and inserting in lieu thereof the following:

“eighty thousand seven hundred sixty-nine (\$1,680,769), out”

Further amend House Bill 34 on Page 2, after Line 24 by inserting the following:

“u. Jackson-DeKalb County Special School for the Retarded at North-east Junior College 39,000”.

On motion of Senator Rice, said amendment was laid on the table.

The Standing Committee on Finance and Taxation then reported the following substitute for the Bill, H. B. 34, to-wit:

SUBSTITUTE FOR H. B. 34

**A BILL
TO BE ENTITLED
AN ACT**

To make an appropriation for the support and maintenance of the Special Schools for Special Education for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. There is hereby appropriated for the fiscal year ending September 30, 1989, the sum of one million six hundred forty-one thousand seven hundred sixty-nine (\$1,641,769), out of the funds in the Alabama Special Educational Trust Fund to be used for the support and maintenance of the Special Schools for Special Education and to be distributed by the State Board of Education as follows:

- (a) Butler County Training School for the Mentally Retarded
in Greenville 22,500
- (b) Hope Haven School in Colbert County 35,000

(c) Montgomery Institute for Neurological Development	25,000
(d) Birmingham Training Center for Brain-Injured Children ..	31,500
(e) Houston County Board of Education for the Vaughn- Blumberg Center for the Developmentally Disabled	45,000
(f) Alice Pigman School	75,000
(g) Geneva County Day Care and Training Center	45,000
(h) McGraw Activity Center	45,000
(i) Dallas County Day Care and Training Center	45,000
(j) Calhoun County Community—"EDUCATION PAR EXCELLENCE"	75,000
(k) North Talladega County Association for Retarded Citizens, Inc.	22,500
(l) South Talladega County Association for Retarded Citizens, Inc.	22,500
(m) ECHO FOUNDATION	13,500
(n) Vivian B. Adams School	247,500
(o) McInnis School of Montgomery	360,000
(p) Alan Cott School	90,000
(q) Alabama Institute for Deaf and Blind	371,769
(r) Madison Park Hope Center	20,000
(s) Dee Day School—Cherokee County	25,000
(t) Clay County Learning Center—Clay County	25,000

Section 2. Prior to release of any funds appropriated under this bill for fiscal year 1988-89, an operations plan for fiscal year 1987-88 and an audited financial statement for all operations during fiscal year 1986-87 must be forwarded to the Director of Finance. It is the intent to release fiscal year 1988-89 funds following receipt of these reports.

Section 3. This act shall become effective on October 1, 1988.

On motion of Senator Rice, said substitute was laid on the table.

Senator Rice then offered the following substitute for the Bill, H. B. 34, to-wit:

SUBSTITUTE FOR H. B. 34

A BILL TO BE ENTITLED AN ACT

To make an appropriation for the support and maintenance of the Special Schools for Special Education for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. There is hereby appropriated for the fiscal year ending September 30, 1989, the sum of one million eight hundred sixty-nine thousand five hundred nineteen dollars (\$1,869,519) out of the funds in the Alabama Special Educational Trust Fund to be used for the support and maintenance of the Special Schools for Special Education and to be distributed by the State Board of Education as follows:

(a) Butler County Training School for the Mentally Retarded in Greenville	25,875
(b) Hope Haven School in Colbert County	35,000
(c) Montgomery Institute for Neurological Development	25,875
(d) Birmingham Training Center for Brain-Injured Children ..	36,225
(e) Houston County Board of Education for the Vaughn-Blumberg Center for the Developmentally Disabled	51,750
(f) Alice Pigman School	77,625
(g) Geneva County Day Care and Training Center	51,750
(h) McGraw Activity Center	51,750
(i) Dallas County Day Care and Training Center	51,750
(j) Calhoun County Community—"EDUCATION PAR EXCELLENCE"	51,750
(k) North Talladega County Association for Retarded Citizens, Inc.	25,875
(l) South Talladega County Association for Retarded Citizens, Inc.	25,875
(m) ECHO FOUNDATION	15,525
(n) Vivian B. Adams School	284,625
(o) McInnis School of Montgomery	414,000
(p) Alan Cott School	103,500
(q) Alabama Institute for Deaf and Blind	371,769
(r) Madison Park Hope Center	20,000
(s) Dee Day School—Cherokee County	25,000
(t) Clay County Learning Center—Clay County	25,000
(u) Jackson-DeKalb County Special School for the Retarded at Northeast Junior College	39,000
(v) Children's Hands-On Museum in Tuscaloosa	35,000
(w) Valley Haven School	25,000

Section 2. Prior to release of any funds appropriated under this bill for fiscal year 1988-89, an operations plan for fiscal year 1987-88 and an audited financial statement for all operations during fiscal year 1986-87 must

be forwarded to the Director of Finance. It is the intent to release fiscal year 1988-89 funds following receipt of these reports.

Section 3. The provisions of this Act are severable. If any section, paragraph, clause, provision, or item of this Act be held unconstitutional, such declaration shall not affect any portion that remains.

Section 4. This act shall become effective on October 1, 1988.

Which was adopted.

Yeas 29; Nays 0.

Yeas:

Senators:	Campbell	Figures	Langford	
Amari	Corbett	Foshee	Manley	
Bailey	Covington	Hale	Menton	
Barron	deGraffenried	Hand	Mitchem	
Bedford	Denton	Hilliard	Rice	
Bedsole	Dial	Holmes	Sanders	
Bennett	Dixon	Horn	Smith (B)	
Cabaniss	Ellis			—29

Nays: —0

And said Bill, H. B. 34, as thus amended by the substitute, was read a third time at length and passed.

Yeas 29; Nays 0.

Yeas:

Senators:	Campbell	Figures	Langford	
Amari	Corbett	Foshee	Manley	
Bailey	Covington	Hale	Menton	
Barron	deGraffenried	Hand	Mitchem	
Bedford	Denton	Hilliard	Rice	
Bedsole	Dial	Holmes	Sanders	
Bennett	Dixon	Horn	Smith (B)	
Cabaniss	Ellis			—29

Nays: —0

THE BILL:

H. 43. This bill provides for a supplemental appropriation of \$80,000 from the state general fund to the State Treasurer's Office for the fiscal year ending September 30, 1988.

was read a third time at length and passed.

Yeas 29; Nays 0.

Yeas:

Senators:	Campbell	Figures	Langford	
Amari	Corbett	Foshee	Manley	
Bailey	Covington	Hale	Menton	
Barron	deGraffenried	Hand	Mitchem	
Bedford	Denton	Hilliard	Rice	
Bedsole	Dial	Holmes	Sanders	
Bennett	Dixon	Horn	Smith (B)	
Cabaniss	Ellis			—29

Nays: —0

THE BILL:

H. 72. To make an appropriation for the support and maintenance of Sylacauga Nurses Training School for the fiscal year ending September 30, 1989.

was read a third time at length and passed.

Yeas 29; Nays 0.

Yeas:

Senators:	Campbell	Figures	Langford
Amari	Corbett	Foshee	Manley
Bailey	Covington	Hale	Menton
Barron	deGraffenried	Hand	Mitchem
Bedford	Denton	Hilliard	Rice
Bedsole	Dial	Holmes	Sanders
Bennett	Dixon	Horn	Smith (B)
Cabaniss	Ellis		

—29

Nays:

—0

THE BILL:

H. 211. To make an appropriation for the support and maintenance of Talladega College for the fiscal year ending September 30, 1989.

was read a third time at length and passed.

Yeas 29; Nays 0.

Yeas:

Senators:	Campbell	Figures	Langford
Amari	Corbett	Foshee	Manley
Bailey	Covington	Hale	Menton
Barron	deGraffenried	Hand	Mitchem
Bedford	Denton	Hilliard	Rice
Bedsole	Dial	Holmes	Sanders
Bennett	Dixon	Horn	Smith (B)
Cabaniss	Ellis		

—29

Nays:

—0

THE BILL:

H. 153. To make an appropriation for the support and maintenance of Tuskegee University for the fiscal year ending September 30, 1989.

was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to the Bill, H. B. 153, to-wit:

AMENDMENT TO H. B. 153

Amend House Bill 153 on Page 1, Line 30, after the period by inserting the following:

“Said conditional appropriation to Tuskegee University shall be the first conditional appropriation released of all such conditional appropriations of Alabama Special Educational Trust Fund monies.”

On motion of Senator Corbett, said amendment was laid on the table.
And said Bill, H. B. 153, was read a third time at length and passed.
Yeas 29; Nays 0.

Yeas:

Senators:	Campbell	Figures	Langford	
Amari	Corbett	Foshee	Manley	
Bailey	Covington	Hale	Menton	
Barron	deGraffenried	Hand	Mitchem	
Bedford	Denton	Hilliard	Rice	
Bedsole	Dial	Holmes	Sanders	
Bennett	Dixon	Horn	Smith (B)	
Cabaniss	Ellis			—29

Nays: —0

THE BILL:

H. 57. To amend Section 36-13-12 of the Code of Alabama 1975, providing pension for widows of governors, so as to provide further for the amount of such pension and to provide such pension for certain widowers of governors.

was read a third time at length and passed.

Yeas 20; Nays 0.

Yeas:

Senators:	Campbell	Foshee	Horn	
Bailey	Corbett	Hale	Langford	
Barron	Dial	Hand	Manley	
Bedford	Dixon	Hilliard	Menton	
Bennett	Figures	Holmes	Sanders	
Cabaniss				—20

Nays: —0

THE BILL:

S. 210. To amend Sections 36-27A-1 and 36-27A-5, Code of Alabama 1975, so as to allow public officials or employees of the State of Alabama, or any political subdivision thereof, to participate in the Public Employees' Individual Retirement Account Fund and to provide for additional nondeductible contributions.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 18; Nays 0.

Yeas:

Senators:	Corbett	Hale	Langford	
Barron	deGraffenried	Hand	Manley	
Bennett	Dial	Hilliard	Menton	
Cabaniss	Figures	Holmes	Rice	
Campbell	Foshee	Horn		—18

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Coburn:

H. J. R. 168. NAMING THE NEW STATE OFFICE BUILDING, NOW UNDER CONSTRUCTION, IN HONOR OF THE LATE SETH GORDON PERSONS, FORMER GOVERNOR OF THE STATE OF ALABAMA.

WHEREAS, the late Seth Gordon Persons, born in Montgomery, Alabama, on February 5, 1902, was a graduate of that city's Sidney Lanier High School and an alumnus of Auburn University; and

WHEREAS, a highly successful businessman, Mr. Persons organized the Southern Radio Service of Montgomery in 1928; was president of radio station WSFA; served as a member of the Board of Directors of the National Association of Broadcasters and as Chief Radio Consultant, Office of War Information, Washington, D. C.; and was owner of Gordon Persons and Company, Inc., consulting engineers; and

WHEREAS, Gordon Persons, however, in lasting memory, remains foremost in the hearts and minds of the citizens of Alabama as a dedicated public servant who served in firm commitment to the betterment of our state as chairman of the Alabama Rural Electrification Authority (REA), 1935-1939; as Associate Member and then as President of the Alabama Public Service Commission; and in highest leadership as the Governor of the State of Alabama, from 1951 to 1955; and

WHEREAS, as Chief Executive of the State, Governor Persons is historically credited as being a most able and responsible leader noted for his aggressive campaign against racketeering and organized crime; enactment of the Right-to-Work bill, strengthening of the state merit system; the elimination of fraudulent welfare claims; and sweeping changes in both the pardons and paroles, and in the state prison systems; and

WHEREAS, Governor Gordon Persons died in Montgomery on May 29, 1965, at the age of 63 years, leaving a legacy of achievement as a dedicated public servant for more than two decades; and

WHEREAS, in recognition of the able and lengthy leadership of Seth Gordon Persons, it is both fitting and desirable that his memory be perpetuated in lasting and appropriate tribute; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That in loving and grateful memory of the life and service of Seth Gordon Persons, 44th Governor of the State of Alabama, we hereby name and designate the new office building now under construction and located within the Capital Complex in Montgomery, Alabama, as the "Gordon Persons Building."

BE IT FURTHER RESOLVED, That the proper officials are hereby authorized to erect and maintain such signs and markers as are necessary to appropriately identify said building as the "Gordon Persons Building."

RESOLVED FURTHER, That a copy of this resolution be presented to Governor Persons' wife, Alice McKeithen Persons, with copies also pro-

vided for his daughter, Elizabeth Persons Killingsworth and son, Seth Gordon Persons, Jr.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Foshee, the Rules were suspended and the Resolution, H. J. R. 168, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

RECESS

At 4 o'clock P.M., on motion of Senator Corbett, the Senate took a recess until 6 o'clock this evening.

NIGHT SESSION
TENTH LEGISLATIVE DAY
SEPTEMBER 15, 1988

The Senate reassembled in the Senate Chamber, Lieutenant Governor Folsom presiding.

ROLL CALL

Present:

Senators:	Campbell	Figures	Manley
Amari	Corbett	Foshee	Menton
Bailey	Covington	Goodwin	Mitchem
Barron	deGraffenried	Hale	Parsons
Bedford	Denton	Hand	Preuitt
Bedsole	Dial	Hilliard	Rice
Bennett	Dixon	Holmes	Sanders
Bishop	Drinkard	Horn	Smith (B)
Cabaniss	Ellis	Langford	Smith (J)

—35

RESOLUTIONS

Senator Langford offered the following Senate Joint Resolution, to-wit:

S. J. R. 62. COMMENDING JOHN L. VARNADO FOR OUTSTANDING COMMUNITY, CIVIC AND FRATERNAL INVOLVEMENT.

WHEREAS, John L. Varnado, a retired United States Air Force officer since October 1986, has resided in Montgomery, Alabama, since 1982 and in previous periods in 1963, 1972-1975 and 1981 during assignments at the Gunter and Maxwell military installations; and

WHEREAS, during these residences, Mr. Varnado has participated in such activities as Beta Epsilon undergraduate community projects, the attainment of a B.S. degree from Auburn University at Montgomery, Montgomery Red Cross blood drives, and currently as a member of the Carver Creative and Performing Arts Center (CCPAC) Friends Board, Robert E. Lee High School Band Parents Association, Montgomery Museum of Fine Arts (charter membership), Auburn University at Montgomery Alumni Association, Canaan Hill Baptist Church Board of Trustees (secretary), and Central Montgomery Club of Optimist International (president elect); and

WHEREAS, Mr. Varnado also is a member of and has served as chapter committee chairman for special projects and Project Alpha for Alpha Upsilon Lambda Chapter of Alpha Phi Alpha Fraternity, Inc., and currently serves the fraternity as state sergeant-at-arms; and

WHEREAS, in other community involvement, Mr. Varnado was instrumental in securing Mr. William Densmore, director of Atlanta's Northside School for the Performing Arts, to bring the "Show Biz Kids" to Montgomery, and for having CCPAC included in the show; and

WHEREAS, Mr. Varnado, who is the recipient of the U.S.A.F. Meritorious Service Medal and a certificate of appreciation for community service from Governor George Wallace, also is his Alpha Phi Alpha chapter nominee for the Charley Green Award; and

WHEREAS, John L. Varnado is currently employed in the business sector as a systems engineer involved in computer security and is an adjunct faculty member of Troy State University in Montgomery; he further is a self-employed businessman and a student at the University of Alabama completing requirements for his doctorate; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That in recognition of outstanding achievement and service to community, state and nation, we hereby most highly commend John L. Varnado, for whom a copy of this resolution of esteem shall be provided.

On motion of Senator Langford, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Langford then offered the following Senate Resolution, to-wit:

S. R. 63. COMMENDING JOHN L. VARNADO FOR OUTSTANDING COMMUNITY, CIVIC AND FRATERNAL INVOLVEMENT.

Which was filed.

Senator Rice offered the following Senate Joint Resolution, to-wit:

S. J. R. 64. NAMING THE ALABAMA FORESTRY COMMISSION DISTRICT FOUR BUILDING THE ERNIE MOORE BUILDING.

WHEREAS, Ernie Moore served the Alabama Forestry Commission as District Forester in Dadeville, Alabama for more than sixteen years; and

WHEREAS, he was responsible for many firsts in forestry in the Alabama Forestry Commission; and

WHEREAS, Mr. Moore was the motivating force and guiding hand which saw to the building of the First District Office of the Alabama Forestry Commission; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that the Alabama Forestry Commission District Four office building located on Highway 280, two miles east of Dadeville, Alabama be named the Ernie Moore Building from this time forward.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Alabama Forestry Commission and to Mr. Ernie Moore.

On motion of Senator Rice, the Rules were suspended and the Resolution was adopted by the Senate.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following engrossed Senate Bill with the original Senate Bill, and finds same correctly engrossed, to-wit:

S. 103. To adopt and incorporate into the Code of Alabama 1975 those general and permanent laws of the state enacted during the 1987 Regular Session of the Legislature, as contained in the 1987 Cumulative Supplement

to certain volumes of the Code and in the 1987 Replacement Volumes 7, 7A and 13 of the Code; to make corrections in certain volumes of such cumulative supplement and replacement volume 13; and to reorganize Article 5, Chapter 12, Title 13A, and Chapter 2, Title 20, as appearing in Volumes 12 and 14, respectively, of such cumulative supplement, so as to place the principal drug crime statutes in Title 13A, the Alabama Criminal Code.

BILL DRINKARD,
Chairperson.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bill with the original Senate Bill, and finds same correctly enrolled, to-wit:

S. 149. To provide for a voluntary check-off designation on state income tax returns for the 1989 tax year and each year thereafter for the Alabama Veterans' Home Program; to provide the form for such designation; to provide for the crediting to the Department of Veterans' Affairs of the total amount designated for nursing home and health care services for aged and disabled veterans in Alabama; and to provide for an effective date.

BILL DRINKARD,
Chairperson.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing report from the Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 132. To levy a State fee of \$7.60 and a county fee of \$.40 per ton on operators of commercial sites for the disposal of hazardous waste or hazardous substances for each ton of hazardous waste or hazardous substance received for disposal and disposed of at such sites; to define certain terms; to provide for penalties and interest charge for non-compliance, departmental cost for collection, authority for rulemaking, and general record keeping requirements for commercial hazardous waste or hazardous substance disposal facility operators; and to provide that the operators of such sites shall pay all such state fees levied to the State General Fund and for the county fee, to the credit of the general fund of the county wherein hazardous waste disposal sites are located.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 234. To provide for revisions to the Code of Alabama 1975, dealing with ad valorem taxation, so as to offer equity and equalization in administration of ad valorem taxes, by amending the following code sections successively: Section 40-7-23, Code of Alabama 1975, as amended, to establish requirements under which a taxpayer may avoid the statutory ten percent penalty normally assessed on escaped tangible personal property ad valorem taxes, for the tax years ending on or before September 30, 1988, and to waive, upon the taxpayer's fulfilling the requirements of Section 40-7-23, the taxpayer's ad valorem tax liability on tangible personal property so assessed for the tax years ending on or before September 30, 1987; Sections 40-7-1, 40-8-1, 40-11-1, 40-12-240, 40-12-255 and 40-12-256, Code of Alabama 1975, to provide for assessment and payment of ad valorem taxes by owners of mobile homes the same as other real property and personal property owners, to identify the class of assessment for travel trailers, to eliminate the requirement for owners of mobile homes to purchase a license tag and pay the \$3.00 registration fee, to provide for the uniform identification and assessment of mobile homes, to authorize the commissioner of revenue to require that certain mobile home and ad valorem tax information be reported by real property owners on forms and through procedures prescribed by the commissioner of revenue, to require any public or private entity that provides or sells any gas or electric services to provide to the county tax assessing official, at least monthly, a list containing each mobile home to which such entity has connected gas or electric service in the county during the preceding period, together with the name of the occupant and the location of the connection, to authorize the commissioner of revenue to promulgate rules and regulations necessary to carry out the provisions of this act and to make certain grammatical and clarifying changes; Sections 40-5-9, 40-10-21, 40-10-75, 40-10-76, 40-10-77, 40-10-83, 40-10-121, 40-10-122, and 40-10-132, Code of Alabama 1975, to increase the interest rate on delinquent ad valorem taxes and on taxes paid upon redemption; and by amending Section 40-7-21, Code of Alabama 1975, establishing the class of misdemeanor for failure or refusal to provide information deemed essential to assessment of property and to authorize proper authority to audit, examine, and inspect records and property, as needed, to enforce the assessment and collection of ad valorem taxes.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. B. 90. Relating to the twenty-first judicial circuit, Escambia County, Alabama; providing further for expense allowances for the presiding circuit judge, circuit judge No. 2 and the district judge of the circuit; providing that

such expense allowances shall be payable from the county treasury; and providing for an effective date for this act.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 183. Relating to Escambia County; there is hereby levied a county privilege, license or excise tax on the sale, distribution, storage, use or other consumption of cigarettes in such county; providing for the collection and enforcement of the tax; and appropriating the proceeds therefrom.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 58. EXPRESSING LEGISLATIVE INTENT REGARDING SENATE BILL 2.

JOHN W. PEMBERTON,
Clerk.

BILLS ON THIRD READING RESUMED

THE BILL:

S. 205. To provide for a supplemental appropriation of \$225,000 from the Alabama Special Educational Trust Fund to the State Department of Education for the payment of salaries of locally-funded educational personnel in the Adult Basic Education/Community Education Program for the fiscal year ending September 30, 1989.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 18; Nays 0.

Yeas:

Senators:	Bedsole	Dixon	Menton
Amari	Campbell	Ellis	Mitchem
Bailey	Corbett	Foshee	Rice
Barron	deGraffenried	Hale	Smith (B)
Bedford	Denton	Langford	

—18

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 210. To make an appropriation for the support and maintenance of Walker County Junior College for the fiscal year ending September 30, 1989.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 106. To amend Sections 9-13-82 and 9-13-84, Code of Alabama 1975, as amended, which provide for the severance tax on forest products and the distribution of the proceeds thereof, so as to increase said tax and provide further for its distribution.

Also:

H. 156. To create an Alabama "generation-skipping transfer" tax which takes advantage of the state tax credit allowed in computing the federal "generation-skipping transfer" tax, thereby adding revenues to the state of Alabama without increasing the total tax liability of taxpayers.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 183. Relating to Escambia County; there is hereby levied a county privilege, license or excise tax on the sale, distribution, storage, use or other consumption of cigarettes in such county; providing for the collection and enforcement of the tax; and appropriating the proceeds therefrom.

Also:

H. 90. Relating to the twenty-first judicial circuit, Escambia County, Alabama; providing further for expense allowances for the presiding circuit

judge, circuit judge No. 2 and the district judge of the circuit; providing that such expense allowances shall be payable from the county treasury; and providing for an effective date for this act.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills and House Joint Resolution, your signature thereto is requested.

H. 33. To make an appropriation of \$750,000 from the Alabama Special Educational Trust Fund to the Alabama Shakespeare Festival for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

Also:

H. 43. This bill provides for a supplemental appropriation of \$80,000 from the state general fund to the State Treasurer's Office for the fiscal year ending September 30, 1988.

Also:

H. 57. To amend Section 36-13-12 of the Code of Alabama 1975, providing pension for widows of governors, so as to provide further for the amount of such pension and to provide such pension for certain widowers of governors.

Also:

H. 72. To make an appropriation for the support and maintenance of Sylacauga Nurses Training School for the fiscal year ending September 30, 1989.

Also:

H. 153. To make an appropriation for the support and maintenance of Tuskegee University for the fiscal year ending September 30, 1989.

Also:

H. 211. To make an appropriation for the support and maintenance of Talladega College for the fiscal year ending September 30, 1989.

Also:

H. 200. To make an appropriation for the support and maintenance of Marion Military Institute for the fiscal year ending September 30, 1989.

Also:

H. 85. Relating to Franklin County; to provide for additional expense allowances for members of the board of registrars and to provide for its retroactive effect.

Also:

H. 21. To make an appropriation for the support and maintenance of Lyman Ward Military Academy for the fiscal year ending September 30, 1989.

Also:

H. 155. To make a supplemental appropriation from the Alabama Special Education Trust Fund to the Children's Hospital of Alabama in Birmingham, Alabama, for the fiscal year 1988-89, and to require an operations plan and audited financial statement prior to release of any funds.

Also:

H. 126. To amend sections 16-31-1 and 16-31-4 of the Code of Alabama 1975 relating to the American Legion Scholarships so as to increase the value of the scholarships and to increase the number of scholarships awarded, except for persons currently receiving the scholarships shall remain at the current rate.

Also:

H. J. R. 168. NAMING THE NEW STATE OFFICE BUILDING, NOW UNDER CONSTRUCTION, IN HONOR OF THE LATE SETH GORDON PERSONS, FORMER GOVERNOR OF THE STATE OF ALABAMA.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS AND RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills and House Joint Resolution, the titles of which are set out in the foregoing Message from the House.

BILLS ON THIRD READING RESUMED

THE BILL:

S. 99. To provide for the establishment of a fund from which survivor allowances for spouses of deceased district or supernumerary district attorneys shall be paid; to provide requirements for eligibility for receipt of such benefits; to provide funding for the proper operations and maintenance of such fund; and to provide for the management of such fund.

was taken up.

Senator Corbett offered the following amendment to the Bill, S. B. 99, to-wit:

AMENDMENT TO S. B. 99

Amend Senate Bill No. 99 Page 2 Line 14, after the word
“law.”

Insert

“No supernumerary District Attorney who was a supernumery District Attorney prior to the effective date of this act may come under this act.”

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Senators:	Campbell	Ellis	Menton
Amari	Corbett	Foshee	Mitchem
Bailey	deGraffenried	Hale	Preuitt
Barron	Denton	Hand	Rice
Bedford	Dial	Horn	Smith (B)
Bedsole	Dixon	Langford	Smith (J)
Cabaniss			

—24

Nays:

—0

And said Bill, S. B. 99, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 21; Nays 0.

Yeas:

Senators:	Corbett	Foshee	Mitchem
Amari	deGraffenried	Hale	Preuitt
Barron	Denton	Hand	Rice
Bedsole	Dial	Langford	Smith (B)
Cabaniss	Dixon	Manley	Smith (J)
Campbell	Ellis		

—21

Nays:

—0

THE BILL:

S. 193. To amend the Alabama Trademark Act to include the registrability of business trade names thereby creating an “Alabama Trade-mark and Trade Name Act” by amending sections 8-12-6, 8-12-7, 8-12-8, 8-12-9, 8-12-14, 8-12-16, and 8-12-17 of the Code of Alabama, 1975; to provide for transition of existing trademarks; and to provide for an effective date of January 1, 1989.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 20; Nays 0.

Yeas:

Senators:	Campbell	Ellis	Menton
Amari	Corbett	Foshee	Mitchem
Bailey	Denton	Hale	Preuitt
Barron	Dial	Hand	Rice
Bedford	Dixon	Langford	Smith (B)
Cabaniss			

—20

Nays:

—0

THE BILL:

S. 44. To require pipeline facilities transporting hazardous liquids and/or liquified natural gas (LNG) and facilities used in the liquification of natural gas to comply with certain standards of safety; granting certain additional rights, powers and authority to the Alabama Public Service Commission to carry out the purposes of this Act; prescribing jurisdictions of courts for injunction proceedings; and prescribing monetary sanctions for violations of certain standards of safety.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 22; Nays 0.

Yeas:

Senators:	Campbell	Foshee	Mitchem	
Amari	Corbett	Hale	Preuitt	
Barron	Denton	Hand	Rice	
Bedford	Dial	Langford	Smith (B)	
Bedsole	Dixon	Manley	Smith (J)	
Cabaniss	Ellis	Menton		—22

Nays:

—0

THE BILL:

H. 139. To authorize the department of human resources to remove certain items of fully depreciated state property which have little or no resale or reuse value to the state from state property inventory by transferring title and ownership of same to purchase of service contractors who will continue to utilize those items in providing needed services to clients of the department of human resources.

was taken up.

On motion of Senator Corbett, further consideration of the Bill was postponed temporarily.

THE BILL:

S. 29. To amend Section 9-11-257, Code of Alabama 1975, as last amended, relating to hunting within 100 yards of roads, highways, or railroads without permission from an adjacent landowner, so as to provide that no person, except a duly authorized law enforcement officer acting in the line of duty or person otherwise authorized by law, shall hunt or discharge any firearm from, upon, or across any public road, public highway or railroad, or their rights-of-way, logging railroads excepted; and to provide penalties for the violation thereof.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Senators:	Covington	Foshee	Manley	
Amari	deGraffenried	Hale	Menton	
Barron	Denton	Hand	Mitchem	
Bedsole	Dial	Horn	Preuitt	
Campbell	Dixon	Langford	Smith (B)	
Corbett	Ellis			—21

Nays:

—0

THE BILL:

H. 222. Relating to the Alabama Sunset Law; to continue the existence and functioning of the board of heating and air conditioning contractors as provided in Sections 34-31-18 through 34-31-34, Code of Alabama 1975, with certain modifications; to amend Sections 34-31-18, 34-31-19, 34-31-21(g), 34-31-24, 34-31-28 and 34-31-31, Code of Alabama 1975, so as to: distinguish the function of install from service and repair; to delete all references to "registered" contractors; to correct an erroneous code subsection reference; and to provide further for the exemption period for taking examinations of the board for certain contractors having at least two years of experience (grandfather clause).

was read a third time at length and passed.

Yeas 23; Nays 0.

Yeas:

Senators:	Corbett	Foshee	Menton	
Amari	Covington	Hale	Mitchem	
Barron	deGraffenried	Hand	Preuitt	
Bedsole	Denton	Horn	Rice	
Cabaniss	Dixon	Langford	Smith (B)	
Campbell	Ellis	Manley	Smith (J)	—23

Nays: —0

THE BILL:

S. 196. To amend section 29-2-41, Code of Alabama 1975, which relates to the Contract Review Permanent Legislative Oversight Committee, so as to provide further for the committee's authority to review state contracts.

was taken up.

The Standing Committee on Governmental Affairs reported the following substitute for the Bill, S. B. 196, to-wit:

SUBSTITUTE FOR S. B. 196

**A BILL
TO BE ENTITLED
AN ACT**

To amend section 29-2-41, Code of Alabama 1975, which relates to the Contract Review Permanent Legislative Oversight Committee, so as to provide further for the committee's authority to review state contracts.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 29-2-41, Code of Alabama 1975, is hereby amended to read as follows:

"§29-2-41. Each member of the committee shall be entitled to regular legislative compensation, per diem and travel expenses for each day he or she attends a meeting of the committee, which shall be paid out of the funds appropriated to the use of the legislature, on warrants drawn on the state comptroller upon requisition signed by the committee's chairman; provided, however, that members shall not receive additional compensation

or per diem when the legislature is in session. Clerical help shall be furnished by the secretary of the senate and the clerk of the house. The department of examiners of public accounts shall furnish assistance and any relevant information to the committee. The committee shall have the responsibility of reviewing ~~any existing or new~~ contracts for personal or professional services with private entities or individuals to be paid out of appropriated funds, federal or state, on a state warrant issued as recompense for those services. Each state department entering into a contract to be paid out of appropriated funds, federal or state on a state warrant which is notified by the committee is hereby required to submit to the committee any proposed contract for personal or professional services. Each contract must be accompanied by an itemization of the total cost estimate of the contract. The department may, in lieu of the proposed contract, submit to the committee a letter of intent to contract. Such letter of intent to contract shall indicate the contracting parties, the services to be performed, an itemization of the total cost estimate of the contract, and such other information as the department may deem pertinent to the committee review of the contract. The committee shall review and comment where necessary on any such contract or letter of intent to contract within a reasonable time not to exceed 45 days after the department has submitted said contract or letter of intent to contract to the committee. Any contract made by the state or any of its agencies or departments in violation of this section and without prior review by the committee of either the contract or the letter of intent to contract shall be void ab initio; provided however, that if the committee fails to review and comment upon any contract or letter of intent to contract within the aforementioned 45-day time period, such contract shall be deemed to have been reviewed in compliance with this section.

"Should the department elect to submit a letter of intent to contract in lieu of a proposed contract, as authorized in the preceding paragraph, the department shall be required to submit to the committee for its information the contract described in the letter of intent upon the execution of said contract.

"The committee shall have the power to issue subpoenas for any witnesses and to require the production of any documents or contracts it feels it needs to examine in the conduct of its duties.

"The committee shall organize itself at the first meeting and elect from among its membership a chairman and a vice-chairman. The committee shall hold regular meetings at least once each month, said regular meetings to be held during the first week of each month.

"In no event shall the expenses of the committee exceed more than \$10,000.00 annually in carrying out its responsibility."

Section 2. In case of an emergency adversely affecting public health, safety, security, or the economic welfare of the state, so declared in writing to the Governor by the head of the institution or agency involved, setting forth the nature of the danger to public health, safety, security or the economic welfare of the state, contracts may be let to the extent necessary to meet the emergency without review by the committee. Any contract let pursuant to this section involving an emergency adversely affecting the economic welfare of the state shall be let for a period of not more than 60 days during which time the committee shall review a contract for a longer period of time if such services are required beyond the 60-day limit hereby imposed.

Section 3. For the purposes of this act the term personal and professional services specifically includes independent contractor agreements as well as individual employment agreements.

Section 4. The following personal and/or professional services contracts shall be excluded from the terms of this act:

1. contracts for insurance;
2. contracts let by competitive bid;
3. contracts entered into by public corporations and authorities;
4. any contract the total amount of which does not exceed one thousand five hundred dollars (\$1,500.00), said total amount to include both compensation and reimbursement of expenses.

Section 5. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 20; Nays 0.

Yeas:

Senators:	Corbett	Ellis	Menton	
Barron	Covington	Foshee	Mitchem	
Bedsole	Denton	Hale	Preuitt	
Bennett	Dial	Hand	Rice	
Cabaniss	Dixon	Langford	Smith (B)	
Campbell				—20

Nays: —0

And said Bill, S. B. 196, as thus amended by the substitute, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 23; Nays 0.

Yeas:

Senators:	Campbell	Ellis	Manley	
Bailey	Corbett	Foshee	Menton	
Barron	Covington	Hale	Mitchem	
Bedsole	Denton	Hand	Preuitt	
Bennett	Dial	Horn	Rice	
Cabaniss	Dixon	Langford	Smith (B)	—23

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 234. To provide for revisions to the Code of Alabama 1975, dealing with ad valorem taxation, so as to offer equity and equalization in administration of ad valorem taxes, by amending the following code sections

successively: Section 40-7-23, Code of Alabama 1975, as amended, to establish requirements under which a taxpayer may avoid the statutory ten percent penalty normally assessed on escaped tangible personal property ad valorem taxes, for the tax years ending on or before September 30, 1988, and to waive, upon the taxpayer's fulfilling the requirements of Section 40-7-23, the taxpayer's ad valorem tax liability on tangible personal property so assessed for the tax years ending on or before September 30, 1987; Sections 40-7-1, 40-8-1, 40-11-1, 40-12-240, 40-12-255 and 40-12-256, Code of Alabama 1975, to provide for assessment and payment of ad valorem taxes by owners of mobile homes the same as other real property and personal property owners, to identify the class of assessment for travel trailers, to eliminate the requirement for owners of mobile homes to purchase a license tag and pay the \$3.00 registration fee, to provide for the uniform identification and assessment of mobile homes, to authorize the commissioner of revenue to require that certain mobile home and ad valorem tax information be reported by real property owners on forms and through procedures prescribed by the commissioner of revenue, to require any public or private entity that provides or sells any gas or electric services to provide to the county tax assessing official, at least monthly, a list containing each mobile home to which such entity has connected gas or electric service in the county during the preceding period, together with the name of the occupant and the location of the connection, to authorize the commissioner of revenue to promulgate rules and regulations necessary to carry out the provisions of this act and to make certain grammatical and clarifying changes; Sections 40-5-9, 40-10-21, 40-10-75, 40-10-76, 40-10-77, 40-10-83, 40-10-121, 40-10-122, and 40-10-132, Code of Alabama 1975, to increase the interest rate on delinquent ad valorem taxes and on taxes paid upon redemption; and by amending Section 40-7-21, Code of Alabama 1975, establishing the class of misdemeanor for failure or refusal to provide information deemed essential to assessment of property and to authorize proper authority to audit, examine, and inspect records and property, as needed, to enforce the assessment and collection of ad valorem taxes.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

FURTHER CONSIDERATION OF H. B. 125

The Senate proceeded to further consideration of the Bill:

S. 125. To provide for the method of filing applications for allocations of a portion of the "State Ceiling" applicable to tax-exempt bonds; to establish expiration and reversion dates for allocation of "State Ceiling" and conditions subsequent to such allocations; to allocate the entire "State Ceiling" to the State, subject to redistribution by the State Industrial Development Authority; to reserve certain portions of the "State Ceiling" for the use and benefit of Alabama Housing Finance Authority and Alabama Higher Education Loan Corporation; to provide for the allocation of portions of the "State Ceiling" to issuers of small issue bonds for manufacturing facilities and for exempt

facility bonds and for the allocation of a portion of the "State Ceiling" at the discretion of the State Industrial Development Authority; to provide a procedure for carryforward allocations; to establish an effective date; to authorize the State Industrial Development Authority to adopt rules and regulations governing the making of allocations; and to designate the president of the State Industrial Development Authority as the State official authorized to make certain certifications required under the Internal Revenue Code of 1986, as amended.

having been postponed on the Eighth Legislative Day.

And on motion of Senator Hand, further consideration of the Bill, S. B. 125, was again postponed subject to the call of the Chair.

MOTION TO ADJOURN LOST

At 7:10 P.M., Senator Corbett moved that the Senate adjourn until Tuesday, September 20, 1988, at 2 o'clock P.M., which motion was lost.

Yeas 4; Nays 18.

Yeas:

Senators:	Bennett	Campbell	Corbett	
Bedford				—4

Nays:

Senators:	Cabaniss	Ellis	Menton	
Amari	deGraffenried	Foshee	Mitchem	
Bailey	Denton	Hale	Preuitt	
Barron	Dial	Hand	Rice	
Bedsole	Dixon	Manley		—18

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Joint Resolution with the original Senate Joint Resolution, and finds same correctly enrolled, to-wit:

S. J. R. 58. EXPRESSING LEGISLATIVE INTENT REGARDING
SENATE BILL 2.

BILL DRINKARD,
Chairperson.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolution, the title of which is set out in the foregoing report from the Committee on Rules.

BILLS ON THIRD READING RESUMED**THE BILL:**

S. 117. To amend §37-1-11 of the Code of Alabama 1975, to further provide for the salaries of the president and associate commissioners of the Alabama Public Service Commission.

was taken up.

On motion of Senator Foshee, further consideration of the Bill, S. B. 117, was postponed temporarily.

CALENDAR BILLS INDEFINITELY POSTPONED

On motion of Senator Hale, further consideration of all Senate Bills remaining on the Calendar was indefinitely postponed.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Campbell:

H. 3. To adopt and incorporate into the Code of Alabama 1975 those general and permanent laws of the state enacted during the 1987 Regular Session of the Legislature, as contained in the 1987 Cumulative Supplement to certain volumes of the Code and in the 1987 Replacement Volumes 7, 7A and 13 of the Code; to make corrections in certain volumes of such cumulative supplement and replacement volume 13; and to reorganize Article 5, Chapter 12, Title 13A, and Chapter 2, Title 20, as appearing in Volumes 12 and 14, respectively, of such cumulative supplement, so as to place the principal drug crime statutes in Title 13A, the Alabama Criminal Code.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 3—to the Committee on Governmental Affairs

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Reps. Knight, Dillard, Curry, Haynes, Johnson (RG), White (G), Logan, Hogan, Turnham, Brooks, Freeman, Petelos, Bowling, Richardson, Bugg, Moon, Headley, Cosby, White (L), Hammett, Williams, Breedlove, McMillan, Johnson (RW), Biddle, Junkins, Campbell, Harvey, Hooper, and Buskey (JL):

H. 288. Relating to motor vehicle licenses, registration and parking; to amend Sections 32-6-230, 32-6-231, 32-6-232, 32-6-233, 32-6-233.1 and 32-6-234 of the Code of Alabama 1975, so as to provide that certain temporarily

handicapped individuals shall be granted temporary identification placards for use in special parking places reserved for handicapped persons; to authorize reciprocal agreements with other states regarding such parking places and to provide penalties for misuse and abuse of such parking places.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 288—to the Committee on Governmental Affairs

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Turner, Cosby, White (L), and Junkins:

H. 17. To provide for a limitation on the total cost of license plates, taxes and license fees for motorized recreational vehicles; to return the taxation of such vehicles to the rates, weights and amounts that existed prior to 1984; and to exempt motorized recreational vehicles from the provisions of section 40-12-248 of the Code of Alabama 1975.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 17—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Rep. Britnell (With Notice and Proof):

H. 357. To amend Section 9 of Act No. 88-562, S. 667 of the 1988 Regular Session of the Legislature, which act levies certain taxes on tobacco and tobacco products in Franklin County, so as to exempt Act No. 708 of the 1965 Regular Session of the Legislature approved on September 1, 1965, from the repealer provisions of said Section 9.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 357, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Rep. Britnell (With Notice and Proof):

H. 362. To amend Section 9 of Act No. 88-562, S. 667 of the 1988 Regular Session of the Legislature, which act levies certain taxes on tobacco and tobacco products in Franklin County, so as to exempt Act No. 708 of the 1965 Regular Session of the Legislature approved on September 1, 1965, from the repealer provisions of said Section 9.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 362, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,
Clerk.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 357 and 362—to the Committee on Local Legislation No. 1

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Rep. Britnell (With Notice and Proof):

H. 363. Relating to the City of Bear Creek in Marion County; to alter the corporate boundaries so as to include additional lands within the corporate limits; and to provide for a referendum thereon.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 363, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,
Clerk.

Also:

By Reps. Britnell, Logan, and Newman (With Notice and Proof):

H. 365. Relating to Marion County; amending Act No. 88-619, H. 1030, 1988 Regular Session (Acts 1988, p. 961), levying a county privilege, license or excise tax on the sale, distribution, storage, use or other consumption of tobacco and certain tobacco products in such county, so as to provide further for the collection and enforcement of the tax; and for the distribution of the proceeds therefrom.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 365, as required in the General Acts of Alabama, 1975, Act No. 919.

JOHN W. PEMBERTON,
Clerk.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 363 and 365—to the Committee on Local Legislation No. 1

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Campbell:

H. 8. To amend Article 19 of Chapter 4 of Title 10 of the Code of Alabama (1975), as amended, the Revised Alabama Professional Corporation Act, by amending Sections 10-4-383, 10-4-387, 10-4-389, and 10-4-403 of the Code of Alabama (1975), as amended to determine the date of disqualification of shareholders; to allow corporations in existence December 31, 1983 in which licensed medical and dental professionals were allowed to be shareholders under Section 10-4-235, Code of Alabama (1975), to continue and to permit licensed medical and dental professionals to be allowed to be shareholders in the same professional corporation; permit professional associations in existence December 31, 1983 to continue to use the name professional associations or the abbreviation P.A.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 8—to the Committee on Judiciary

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Campbell:

H. 9. To revise the law on powers contained in mortgages on real estate and to provide: definitions; foreclosure by power of sale; minimum standards for notice of sale; method of conducting foreclosure by power of sale; and successive sales under power permitted. This Act applies only to mortgages, defined herein, executed on or after the effective date of this Act which is January 1, 1989.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 9—to the Committee on Judiciary

**REPORT OF
COMMITTEE ON RULES**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following engrossed Senate Bills with the original Senate Bills, respectively, and finds same correctly engrossed, to-wit:

S. 99. To provide for the establishment of a fund from which survivor allowances for spouses of deceased district or supernumerary district attorneys shall be paid; to provide requirements for eligibility for receipts of such benefits; to provide funding for the proper operations and maintenance of such fund; and to provide for the management of such fund.

Also:

S. 196. To amend section 29-2-41, Code of Alabama 1975, which relates to the Contract Review Permanent Legislative Oversight Committee, so as to provide further for the committee's authority to review state contracts.

BILL DRINKARD,
Chairperson.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Marietta:

H. 61. To amend the Alabama Trademark Act to include the registrability of business tradenames thereby creating an "Alabama Trademark and Tradename Act" by amending sections 8-12-6, 8-12-7, 8-12-8, 8-12-9, 8-12-14, 8-12-16, and 8-12-17 of the Code of Alabama 1975. Further to provide for transition provisions for existing trademarks and an effective date of January 1, 1989.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 61—to the Committee on Judiciary

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Marietta:

H. 59. This bill requires pipeline facilities transporting hazardous liquids and/or liquified natural gas (LNG) and facilities used in the liquification of natural gas to comply with certain standards of safety; granting certain additional rights, powers and authority to the Alabama Public Service Commission to carry out the purposes of this Act; prescribing jurisdictions of courts for injunction proceedings; and prescribing monetary sanctions for violations of certain standards of safety.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 59—to the Committee on Judiciary

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Box:

H. 221. To provide further for the revision of the guardianship laws of this state by amending Sections 1-106, 1-107, 2-104, 2-309, and 2-313 of the Alabama Uniform Guardianship and Protective Proceedings Act, Act No. 87-590, H. 233, which sections appear respectively as sections 26-2A-6, 26-2A-7, 26-2A-73, 26-2A-138, 26-2A-142, and 26-2A-8 of the Code of Alabama 1975.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 221—to the Committee on Judiciary

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Haynes and Moon:

H. 133. To amend Sections 17-13-7, 17-16-35, 17-16-36, 17-17-2, 17-19-4, and 17-20-3, Code of Alabama, 1975, relating to the reporting of election

results to the secretary of state so as to stipulate that the results will be reported by precincts.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 133—to the Committee on Judiciary

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Dillard, Logan, Clark (J), Campbell, Marks, Harper, and Carter:

H. 164. To levy an additional state sales and use tax, to provide for the administration of said tax and to provide for the expiration of the tax.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 164—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Marietta:

H. 56. To amend Section 37-4-23 of the Code of Alabama 1975, to further provide for the disposition and disbursement of fees collected thereunder.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 56—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 171. To amend Section 26-16-5, Code of Alabama 1975, relating to meetings of the Child Abuse and Neglect Prevention Board, so as to delete two mandated meeting dates of such Board.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 100. To amend Sections 40-6-1, 40-6-3 and 40-6-4, Code of Alabama 1975, relating to the compensation and benefits paid to supernumerary tax assessors, tax collectors, revenue commissioners, license commissioners or other elected officials charged with the assessment and/or collection of ad valorem taxes, so as to cover appointed ad valorem tax officials and provide for a surviving spouse benefit.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 60. RELATIVE TO MEETING DAYS.

JOHN W. PEMBERTON,
Clerk.

REPORT OF SECRETARY

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Bills and Senate Joint Resolution delivered to the Governor, with the date and hour of delivery, to-wit:

S. B. 107

S. B. 115

Delivered to the Governor September 15, 1988, at 1:42 P.M.

S. B. 149

Delivered to the Governor September 15, 1988, at 6:34 P.M.

S. J. R. 58

Delivered to the Governor September 15, 1988, at 7:25 P.M.

McDOWELL LEE,
Secretary of Senate.

SECRETARY'S REPORT

The foregoing report of the Secretary was read and ordered spread upon the Journal.

ADJOURNMENT

At 7:30 P.M., on motion of Senator Manley, in accordance with Joint Resolution heretofore adopted, the Senate adjourned until Tuesday, September 20, 1988, at 2:01 P.M.

**ELEVENTH LEGISLATIVE DAY
TUESDAY, SEPTEMBER 20, 1988**

The Senate met pursuant to adjournment, Lieutenant Governor Folsom presiding.

PRAYER

The Session was opened with prayer by the Reverend Wayne Smith, Pastor, Millbrook Baptist Church, Millbrook, Alabama.

PLEDGE OF ALLEGIANCE

The Senators were led in the Pledge of Allegiance to the Flag of the United States of America by Christi Stephens, Sidney Lanier High School, Montgomery, Alabama.

ROLL CALL

Present:

Senators:	Campbell	Figures	Manley
Amari	Corbett	Foshee	Menton
Bailey	Covington	Goodwin	Mitchem
Barron	deGraffenried	Hale	Parsons
Bedford	Denton	Hand	Preuitt
Bedsole	Dial	Hilliard	Rice
Bennett	Dixon	Holmes	Sanders
Bishop	Drinkard	Horn	Smith (B)
Cabaniss	Ellis	Langford	Smith (J)

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JOURNAL

On motion of Senator deGraffenried, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

**REPORT OF COMMITTEE
ON RULES ON
REVISION OF THE JOURNAL**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Tenth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

BILL DRINKARD,
Chairperson.

COMMITTEE REPORT

On motion of Senator Drinkard, the foregoing report was concurred in and the Journal of the Senate for the Tenth Legislative Day was approved by the Senate.

RESOLUTIONS

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

S. R. 65. SPECIAL ORDER CALENDAR.

RESOLVED BY THE SENATE That the following bills in the order named shall be the paramount and continuing order of business taking precedence over all other matters upon reaching bills on third reading for the eleventh legislative day of the 1988 First Special Session only:

Inst Id	Page
H. 6	7
Campaign finance disclosure, campaign committees, registration of political committees, contributions and expenditures by political committees, Secs. 17-22-1 through 17-22-15 repealed.	
H. 319	19
Alcoholic beverages sold for on premise consumption, addl. sales tax.	
H. 342	10
Mental Health Finance Authority, auth. to enter financial instruments of the st. retirement systems, tobacco tax pledged for paying retirement system, Act 88-475, Reg. Sess. 1988 am'd.	
H. 137	5
Tax-exempt bonds, proced. for allocation of "state ceiling" imposed upon.	
H. 186	8
Chiropractors Hall of Fame Board, created.	
H. 35	2
Children and Womens Hospital, approp.	
H. 201	18
Health care fac. license fees further provided, Sec. 22-21-24, am'd.	
H. 22	10
Fire protection sprinkler system business, further regulated, Secs. 34-33-1 through 34-33-6, 34-33-10 am'd.	
H. 148	4
Retirement Systems, teachers and employees, option to convert unused sick leave into membership service, Sec. 36-26-36.1, am'd.	
H. 77	18
County boards of education, schedule of meetings.	

H. 279

6

Secretary of State Corporations Fund estab., corp. req. to provide copies of cert. filings, fees, approp., Secs. 10-2A-114, 10-2A-116, 10-2A-180, 10-2A-183, 10-2A-191, 10-2A-260, 10-2A-261, 10-2A-281, 10-2A-282, am'd.

On motion of Senator Drinkard, the Resolution was adopted by the Senate.

Senator Langford offered the following Senate Joint Resolution, to-wit:

S. J. R. 66. MOURNING THE DEATH OF WALKER BYRD SORRELL OF MONTGOMERY, ALABAMA.

WHEREAS, the Legislature of Alabama has been deeply saddened by the death of Dr. Walker Byrd Sorrell of Montgomery, Alabama, on August 27, 1988, at the age of 68 years; and

WHEREAS, a native of Ozark, Alabama, and a United States Army veteran of World War II, Walker Sorrell, as a young combat engineer, received the Distinguished Service Cross and the Purple Heart for extraordinary valor displayed, and in credit for our infantry's successful crossing of the Rapido River during the Italian campaign; and

WHEREAS, Dr. Sorrell, a graduate of the University of Alabama and the University of Tennessee Medical School, received his special training in pathology from Tulane University and remained in New Orleans as a pathologist for the Ochsner Foundation Hospital until 1957, at which time he joined the pathology staff at St. Margaret's Hospital in Montgomery; and

WHEREAS, in 1975, Dr. Sorrell entered the private practice of internal medicine and pathology; he also served as Coroner for Montgomery County, was instrumental in the establishment of the State Department of Forensic Science and, in further professional involvement, was active with the Society of Clinical Pathology, the American Medical Association and the Medical Association of Alabama, among others; and

WHEREAS, Dr. Sorrell, a member of the Alabama Citizens Hall of Fame, was a man of indomitable spirit, widespread interests and was as firmly committed to the community as to his profession; he was past president of the Wesley Fellowship Sunday School Class and the First United Methodist Church Mens Bible Class and a supporter also of numerous civic and charitable endeavors; and

WHEREAS, in the death of Walker Byrd Sorrell, the community has indeed lost a very prominent and dedicated physician, an outstanding Alabamian and a true American patriot; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That even as we mourn his death, we are grateful for the life and service of Walker Byrd Sorrell of Montgomery, Alabama, and extend deepest sympathy to his wife, Mrs. Virginia White Sorrell; daughters, Toxey Ann and Virginia Hope Sorrell; to his son, Walker Emerson Sorrell; and to other family members, whose sorrow we sincerely share and for whom a copy of this resolution shall be provided.

On motion of Senator Langford, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 222. Relating to the Alabama Sunset Law; to continue the existence and functioning of the board of heating and air conditioning contractors as provided in Sections 34-31-18 through 34-31-34, Code of Alabama 1975, with certain modifications; to amend Sections 34-31-18, 34-31-19, 34-31-21(g), 34-31-24, 34-31-28 and 34-31-31, Code of Alabama 1975, so as to: distinguish the function of install from service and repair; to delete all references to "registered" contractors; to correct an erroneous code subsection reference; and to provide further for the exemption period for taking examinations of the board for certain contractors having at least two years of experience (grandfather clause).

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 132. To levy a state fee of \$7.60 and a county fee of \$.40 per ton on operators of commercial sites for the disposal of hazardous waste or hazardous substances for each ton of hazardous waste or hazardous substance received for disposal and disposed of at such sites; to define certain terms; to provide for penalties and interest charge for non-compliance, departmental cost for collection, authority for rulemaking, and general record keeping requirements for commercial hazardous waste or hazardous substance disposal facility operators; and to provide that the operators of such sites shall pay all such state fees levied to the State General Fund and for the county fee, to the credit of the general fund of the county wherein hazardous waste disposal sites are located.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 100. To amend Sections 40-6-1, 40-6-3 and 40-6-4, Code of Alabama 1975, relating to the compensation and benefits paid to supernumerary tax assessors, tax collectors, revenue commissioners, license commissioners or other elected officials charged with the assessment and/or collection of ad valorem taxes, so as to cover appointed ad valorem tax officials and provide for a surviving spouse benefit.

Also:

S. 171. To amend Section 26-16-5, Code of Alabama 1975, relating to meetings of the Child Abuse and Neglect Prevention Board, so as to delete two mandated meeting dates of such Board.

BILL DRINKARD,
Chairperson.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing report from the Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying message from His Excellency, the Governor, proposing an amendment to the Bill:

H. 178. Relating to Etowah County; to authorize the probate judge to set the fee for supplying a copy of an instrument; to place the proceeds from the fees in a special fund and provide for its use.

Said Governor's Message being in words and figures as follows, to-wit:

MESSAGE FROM THE GOVERNOR

To The House of Representatives of Alabama
Alabama State House
Montgomery, Alabama

Ladies and Gentlemen:

I transmit herewith to you a message from the Governor, returning House Bill No. 178, without the Governor's signature and with a suggested Executive Amendment.

Done this 14th day of September, 1988.

Respectfully submitted,
JAMES F. REDDOCH, JR.,
Executive Secretary.

MESSAGE FROM THE GOVERNOR

To The House of Representatives of Alabama
Alabama State House
Montgomery, Alabama

Ladies and Gentlemen:

I am returning to you, the body in which it originated, House Bill No. 178, without my signature, but with the following suggested Executive Amendment:

EXECUTIVE AMENDMENT TO HOUSE BILL NUMBER 178:

On page 1, line 15 after the period insert the following:

Receipts to and itemized expenditures from said special fund shall be separately published in all newspapers qualified to run legal notices in Etowah County on November 1st of each year beginning in 1989. Such special fund shall be open for public inspection and shall be maintained as a public record in accordance with state law.

The adoption of the above suggested Executive Amendment will remove my objections to this bill.

Done on this the 14th day of September, 1988.

Respectfully,

GUY HUNT,
Governor.

The House has refused to make the amendment from His Excellency, the Governor, to the Bill by a vote of: Yeas 53, Nays 2.

And said H. B. 178, was again read at length and passed, the Governor's objections to the contrary notwithstanding, by a vote of a majority of the whole number elected to the House, said vote being: Yeas 54, Nays 1.

And said Bill, H. B. 178, together with the Governor's Message containing his objections, is herewith sent to the Senate.

JOHN W. PEMBERTON,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE

On motion of Senator Drinkard, the Senate reconsidered the Bill, H. B. 178, the title of which is set out in the foregoing Message from the House.

And said Bill, H. B. 178, was again read at length and passed, the Governor's objections to the contrary notwithstanding, by a vote of a majority of the whole number elected to the Senate, said vote being:

Yeas 21; Nays 0.

Yeas:

Senators:	Bishop	Drinkard	Manley
Amari	Cabaniss	Ellis	Menton
Bailey	Campbell	Foshee	Parsons
Bedford	Corbett	Horn	Sanders
Bedsole	Covington	Langford	Smith (B)
Bennett	Denton		

—21

Nays:

—0

REPORTS OF COMMITTEES

Senator Drinkard, Chairperson of the Standing Committee on Rules, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Rep. Johnson (RW):

H. 360. To validate certain ad valorem taxes levied for school purposes; and to provide that ad valorem taxes levied for school purposes and approved by the voters of a county or school district for a period in excess of 30 years are valid for the period approved by voters.

Senator Horn, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Johnson (RG):

H. 296. To amend further sections 16-25-14 and 36-27-16, Code of Alabama 1975, relating to retirement benefits under the Teachers' and Employees' Retirement Systems, so as to provide for disability retirement in cases of service retirement upon completion of twenty-five years of creditable service.

By Reps. Ford, Bowling, Layson, Hamilton, Grouby, White (L), Turner, Headley, Blakeney, Mikell, Junkins, Bugg, Flowers, Walker, Burke, Willis, Moon, Hogan, Williams, Freeman, Richardson, White (F), Warren, Wright, Biddle, Davis, Harvey, Melton, Newton, Reed, Mathis, McClain, Carter, Black, and Laird:

H. 95. To provide further a salary increase for certain state employees and to appropriate funds therefor for the fiscal year ending September 30, 1989.

Senator Horn, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Reps. Harper, Adams, Wright, and Fuller (With Substitute) (With Amendment):

H. 27. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, for other functions of government, for interest on the public debt, and for capital outlay for the fiscal year ending September 30, 1989.

Senator Preuit, Chairperson of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Campbell:

H. 8. To amend Article 19 of Chapter 4 of Title 10 of the Code of Alabama (1975), as amended, the Revised Alabama Professional Corporation Act, by amending Sections 10-4-383, 10-4-387, 10-4-389, and 10-4-403 of the

Code of Alabama (1975), as amended to determine the date of disqualification of shareholders; to allow corporations in existence December 31, 1983 in which licensed medical and dental professionals were allowed to be shareholders under Section 10-4-235, Code of Alabama (1975), to continue and to permit licensed medical and dental professionals to be allowed to be shareholders in the same professional corporation; permit professional associations in existence December 31, 1983 to continue to use the name professional associations or the abbreviation P.A.

By Rep. Campbell:

H. 9. To revise the law on powers contained in mortgages on real estate and to provide: definitions; foreclosure by power of sale; minimum standards for notice of sale; method of conducting foreclosure by power of sale; and successive sales under power permitted. This Act applies only to mortgages, defined herein, executed on or after the effective date of this Act which is January 1, 1989.

By Rep. Marietta:

H. 59. This bill requires pipeline facilities transporting hazardous liquids and/or liquified natural gas (LNG) and facilities used in the liquification of natural gas to comply with certain standards of safety; granting certain additional rights, powers and authority to the Alabama Public Service Commission to carry out the purposes of this Act; prescribing jurisdictions of courts for injunction proceedings; and prescribing monetary sanctions for violations of certain standards of safety.

By Rep. Marietta:

H. 61. To amend the Alabama Trademark Act to include the registrability of business tradenames thereby creating an "Alabama Trademark and Tradename Act" by amending sections 8-12-6, 8-12-7, 8-12-8, 8-12-9, 8-12-14, 8-12-16, and 8-12-17 of the Code of Alabama 1975. Further to provide for transition provisions for existing trademarks and an effective date of January 1, 1989.

By Reps. Haynes and Moon:

H. 133. To amend Sections 17-13-7, 17-16-35, 17-16-36, 17-17-2, 17-19-4, and 17-20-3, Code of Alabama, 1975, relating to the reporting of election results to the secretary of state so as to stipulate that the results will be reported by precincts.

By Reps. Buskey (JL), Bryant, Hooper, and Melton:

H. 219. To prohibit any state or county inmate from being employed by any district attorney, judge, or sheriff, or any parent, sibling, or child of any district attorney, judge, or sheriff, or for any business one-third or more of which is owned by any district attorney, judge, or sheriff, or any parent, sibling, or child of any district attorney, judge, or sheriff; and to provide a misdemeanor penalty.

By Rep. Box:

H. 221. To provide further for the revision of the guardianship laws of this state by amending Sections 1-106, 1-107, 2-104, 2-309, and 2-313 of the Alabama Uniform Guardianship and Protective Proceedings Act, Act No. 87-590, H. 233, which sections appear respectively as sections 26-2A-6,

26-2A-7, 26-2A-73, 26-2A-138, 26-2A-142, and 26-2A-8 of the Code of Alabama 1975.

Senator Covington, Chairperson of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Reps. Logan and Britnell (With Notice and Proof):

H. 349. Relating to Marion County; authorizing the county board of health to designate the services rendered by the county health department for which a reasonable fee may be charged and to set the appropriate fee for each service; and providing that no citizen shall be denied any service because of that person's inability to pay.

By Rep. Britnell (With Notice and Proof):

H. 352. Relating to Franklin County; amending Act No. 88-562, S. 667, 1988 Regular Session (Acts 1988, p. 881), levying a county privilege, license or excise tax on the sale, distribution, storage, use or other consumption of tobacco and certain tobacco products in such county, so as to provide further for the collection and enforcement of the tax; and for the distribution of the proceeds therefrom.

By Reps. Logan, Newman, and Britnell (With Notice and Proof):

H. 353. Relating to Marion County; providing for the merging of the budgetary operations of the tax assessor's office; providing that said office shall be financed on a pro rata share basis from proceeds of state, county and municipal ad valorem taxes collected in the county; providing certain exceptions and providing for supplemental effect.

By Rep. Williams (With Notice and Proof):

H. 354. Relating to Dale County; providing further for the distribution of the beer taxes levied by Act No. 82-344, H. 165, 1982 Regular Session.

By Reps. Knight and Hill (With Notice and Proof):

H. 325. Relating to the Eighteenth Judicial Circuit, in Clay, Coosa and Shelby Counties, providing further for the compensation of the district attorney.

By Rep. Britnell (With Notice and Proof):

H. 357. To amend Section 9 of Act No. 88-562, S. 667 of the 1988 Regular Session of the Legislature, which act levies certain taxes on tobacco and tobacco products in Franklin County, so as to exempt Act No. 708 of the 1965 Regular Session of the Legislature approved on September 1, 1965, from the repealer provisions of said Section 9.

By Rep. Britnell (With Notice and Proof):

H. 362. To amend Section 9 of Act No. 88-562, S. 667 of the 1988 Regular Session of the Legislature, which act levies certain taxes on tobacco and tobacco products in Franklin County, so as to exempt Act No. 708 of the 1965 Regular Session of the Legislature approved on September 1, 1965, from the repealer provisions of said Section 9.

By Rep. Britnell (With Notice and Proof):

H. 363. Relating to the City of Bear Creek in Marion County; to alter the corporate boundaries so as to include additional lands within the corporate limits; and to provide for a referendum thereon.

By Reps. Britnell, Logan, and Newman (With Notice and Proof):

H. 365. Relating to Marion County; amending Act No. 88-619, H. 1030, 1988 Regular Session (Acts 1988, p. 961), levying a county privilege, license or excise tax on the sale, distribution, storage, use or other consumption of tobacco and certain tobacco products in such county, so as to provide further for the collection and enforcement of the tax; and for the distribution of the proceeds therefrom.

Senator Hilliard, Chairperson of the Standing Committee on Local Legislation No. 2, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Rep. Slaughter (With Notice and Proof):

H. 172. To authorize the Jefferson County Board of Health to designate services rendered by the health department under its control for which fees may be charged and to establish the appropriate fee for each service; to authorize the Jefferson County Board of Health to charge and collect fees for services designated pursuant to this act; to provide that all fees established and collected pursuant to this act shall be retained and used by the Jefferson County Board of Health; to provide that all fees established and collected pursuant to this act shall not replace, but shall supplement and be in addition to, any and all federal, state and local funds otherwise provided to the Jefferson County Board of Health; to provide conditions applicable to the establishment or increase of fees authorized pursuant to this act, including the requirement of a public hearing and the right of the Jefferson County Commission to disapprove the establishment or increase of any fee; to authorize the Jefferson County Board of Health to adopt and to alter rules and regulations for the implementation and administration of this act and to provide that fees charged pursuant to this act shall be established, modified and collected in accordance with such rules and regulations; to provide that fees for services shall not be charged to persons unable to pay and to provide for confidentiality in the determination of any person's ability to pay; and to repeal all laws or parts of laws in conflict with this act to the extent applicable to Jefferson County.

RESOLUTIONS

Senator Denton offered the following Senate Resolution, to-wit:

S. R. 67. COMMENDING SHIRLEY NEESE OF FLORENCE, ALABAMA, FOR OUTSTANDING PROFESSIONAL ACHIEVEMENT AND COMMUNITY SERVICE.

Which was filed.

Senator Mitchem offered the following Senate Resolutions, to-wit:

S. R. 68. COMMENDING MR. CHARLIE CANADY OF ALBERTVILLE, ALABAMA, FOR OUTSTANDING CIVIC ACHIEVEMENT.

Also:

S. R. 69. COMMENDING JOHN HOWARD COCHRAN FOR DISTINGUISHED SERVICE WITH BOY SCOUTS OF AMERICA AND THE COMMUNITY'S SCOUT PROGRAM.

Which were filed.

Senator Smith (J) offered the following Senate Resolutions, to-wit:

S. R. 70. COMMENDING LEROY ALANSON SIMMS OF HUNTSVILLE, ALABAMA, ON HIS DISTINGUISHED CAREER.

Also:

S. R. 71. COMMENDING THE LEXINGTON HIGH SCHOOL CHAPTER OF STUDENTS AGAINST DRIVING DRUNK.

Also:

S. R. 72. COMMENDING WAYNE BONNER OF HUNTSVILLE, ALABAMA, FOR DISTINGUISHED ACHIEVEMENT AND SERVICE TO THE BUILDING INDUSTRY.

Also:

S. R. 73. COMMENDING ANDREW J. LOWERY, III, OF HUNTSVILLE, ALABAMA, FOR OUTSTANDING ACHIEVEMENT AND COMMUNITY SERVICE.

Which were filed.

Senators Figures, Amari, Bailey, Barron, Bedford, Bedsole, Bennett, Bishop, Cabaniss, Campbell, Corbett, Covington, deGraffenried, Denton, Dial, Dixon, Drinkard, Ellis, Foshee, Goodwin, Hale, Hand, Hilliard, Holmes, Horn, Langford, Manley, Menton, Mitchem, Parsons, Preuit, Rice, Sanders, Smith (B), and Smith (J) offered the following Senate Joint Resolution, to-wit:

S. J. R. 74. MOURNING THE DEATH OF BEULAH MAE DONALD OF MOBILE, ALABAMA.

WHEREAS, in sentiment of deep sadness and regret, the Legislature of Alabama records the lamentable death of Beulah Mae Donald of Mobile, Alabama, on September 17, 1988, at the age of 69 years; and

WHEREAS, Mrs. Donald, a woman of great strength and courage, was called upon in 1981 to face the devastating loss of her young son, Michael, who was beaten and strangled to death, his body left hanging from a tree by the two members of the Ku Klux Klan who were later tried and convicted for this heinous crime; and

WHEREAS, although Michael's vicious murderers were brought to justice, Mrs. Donald initiated a suit against the Klan in retribution for its role in encouraging such violence against blacks and the organization's continuing perpetration of evil acts of racism; and

WHEREAS, Mrs. Donald, who was successful in her relentless pursuit of justice, won a \$7 million judgment against the Ku Klux Klan and as a result, the national headquarters building and property of the United Klans of America, Inc., were deeded to the estate of Michael Donald; and

WHEREAS, in recognition of outstanding courage in her fight and great victory against the Klan, Mrs. Donald received a number of awards and honors, including Ms. Magazine's Woman of the Year and the Candace Award in June 1988 by the National Committee of One Hundred Black Women; and

WHEREAS, Beulah Mae Donald was indeed a righteous and principled woman who, in striking a blow for justice, immortalized the life of her beloved son and in her death, the state and nation mourn; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we are grievously saddened by the death of Beulah Mae Donald of Mobile, Alabama, and extend deepest sympathy to her surviving children, Mary A. Houston, Cecilia Perry, Cynthia Mitchell, Betty J. Wyatt, Stanley Donald and Leo Donald, and to other family members, whose sorrow we share and for whom a copy of this resolution shall be provided.

On motion of Senator Figures, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Parsons offered the following Senate Resolution, to-wit:

S. R. 75. COMMENDING THE PUBLIC SERVICE COMMISSION.

Which was read and referred to the Standing Committee on Rules.

BILLS ON THIRD READING

THE BILL:

H. 291. Relating to Mobile County; providing for the compensation and payment of an additional salary for members of the county governing body, and to preserve certain Mobile County acts regarding salary and expense allowances for said members.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Campbell	Drinkard	Langford
Amari	Corbett	Figures	Menton
Bailey	Covington	Goodwin	Parsons
Barron	deGraffenried	Hand	Preuitt
Bedsole	Denton	Holmes	Rice
Bishop	Dial	Horn	Sanders
Cabaniss	Dixon		

—25

Nays:

—0

THE BILL:

H. 75. To alter, extend, rearrange and redefine the boundaries and corporate limits of the City of Huntsville in Madison County, annexing certain territory to the city.

was read a third time at length and passed.

FIRST EXTRAORDINARY SESSION
11th Day

511

Yeas 25; Nays 0.

Yeas:

Senators:	Corbett	Foshee	Manley
Barron	Denton	Hale	Menton
Bedsole	Dial	Hilliard	Preuitt
Bennett	Dixon	Holmes	Rice
Bishop	Drinkard	Horn	Smith (B)
Cabaniss	Ellis	Langford	Smith (J)
Campbell	Figures		

—25

Nays: —0

THE BILL:

S. 225. Relating to Jefferson County, amending Act No. 1272, H. 620, 1973 Regular Session, which provides for a pension and retirement system in the City of Birmingham, so as to provide further for the investment of pension funds.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Covington	Foshee	Menton
Amari	Denton	Goodwin	Parsons
Barron	Dial	Hale	Rice
Bedford	Dixon	Hilliard	Sanders
Bennett	Drinkard	Horn	Smith (B)
Cabaniss	Ellis	Manley	Smith (J)
Corbett	Figures		

—25

Nays: —0

THE BILL:

H. 195. To amend Act No. 453 of the 1967 Regular Session of the Legislature of Alabama, (1967 Acts of Alabama, page 1129), as amended by Act No. 393 of the 1975 Regular Session of the Legislature of Alabama, said acts providing a pension and relief fund for officers and employees of the library board of any city having a population of three hundred thousand or more according to the last and any subsequent federal census, said act applicable to the officers and employees of the Birmingham Public Library System, to provide for the participation of the employees of the library board who are currently entitled to participate in the unclassified pension relief plan of the City of Birmingham to participate in the Birmingham Library Board Employees Pension and Relief Fund and to provide for related matters.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Covington	Foshee	Menton	
Amari	Denton	Goodwin	Parsons	
Barron	Dial	Hale	Rice	
Bedford	Dixon	Hilliard	Sanders	
Bennett	Drinkard	Horn	Smith (B)	
Cabaniss	Ellis	Manley	Smith (J)	
Corbett	Figures			—25

Nays: —0

THE BILL:

H. 301. Relating to counties having a population excess of 500,000 according to the most recent federal decennial census; to amend Section 1 of Act No. 81-752, H. 33, 1981 Regular Session, which relates to the compensation of certain election officials so as to increase their compensation. was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Covington	Foshee	Menton	
Amari	Denton	Goodwin	Parsons	
Barron	Dial	Hale	Rice	
Bedford	Dixon	Hilliard	Sanders	
Bennett	Drinkard	Horn	Smith (B)	
Cabaniss	Ellis	Manley	Smith (J)	
Corbett	Figures			—25

Nays: —0

THE BILL:

S. 208. To further regulate the sale of alcoholic or spirituous or vinous liquors, brewed or malt beverages and beer in any Class 1 municipality; to provide that certain validly licensed manufacturers brewing malt or malt liquors may sell to consumers and others for consumption on the premises or off the premises, as the case may be; to provide that a validly licensed restaurant retail licensee may also be licensed as a manufacturer of said malt brewed or malt liquors; to provide that certain manufacturers may also be wholesalers to sell said brewed or malt liquors, regardless of origination, to duly licensed persons or vendors; and to repeal any local, general or special law conflicting with the provisions of this act.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Covington	Foshee	Menton	
Amari	Denton	Goodwin	Parsons	
Barron	Dial	Hale	Rice	
Bedford	Dixon	Hilliard	Sanders	
Bennett	Drinkard	Horn	Smith (B)	
Cabaniss	Ellis	Manley	Smith (J)	
Corbett	Figures			—25

Nays: —0

THE BILL:

H. 190. Relating to Jefferson County; to continue the office of Assistant Sheriff, Bessemer Division; to prescribe the duties, responsibilities and term; to provide for the appointment, qualifications and compensation of said office; to repeal all conflicting statutes; to provide for severability of the provisions of this act and to prescribe the effective date of such act.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Covington	Foshee	Menton	
Amari	Denton	Goodwin	Parsons	
Barron	Dial	Hale	Rice	
Bedford	Dixon	Hilliard	Sanders	
Bennett	Drinkard	Horn	Smith (B)	
Cabaniss	Ellis	Manley	Smith (J)	
Corbett	Figures			—25

Nays: —0

THE BILL:

H. 192. To provide for the appointment of a Chief Deputy Tax Collector by the elected Jefferson County Assistant Tax Collector, Bessemer Division, and to provide for compensation, funding and qualifications of said Chief Deputy.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Covington	Foshee	Menton	
Amari	Denton	Goodwin	Parsons	
Barron	Dial	Hale	Rice	
Bedford	Dixon	Hilliard	Sanders	
Bennett	Drinkard	Horn	Smith (B)	
Cabaniss	Ellis	Manley	Smith (J)	
Corbett	Figures			—25

Nays: —0

THE BILL:

H. 191. To provide for the appointment of a Chief Deputy Tax Collector by the Elected Jefferson County Tax Collector and to provide for compensation, funding and qualifications of said Chief Deputy.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Covington	Foshee	Menton	
Amari	Denton	Goodwin	Parsons	
Barron	Dial	Hale	Rice	
Bedford	Dixon	Hilliard	Sanders	
Bennett	Drinkard	Horn	Smith (B)	
Cabaniss	Ellis	Manley	Smith (J)	
Corbett	Figures			—25

Nays: —0

THE BILL:

S. 207. To allow any municipality having a population of 300,000 inhabitants or more according to the last or any subsequent federal census, and acting pursuant to the authority granted by Act No. 105 of the 1971 Third Special Session of the Alabama Legislature, to authorize independent contractors to abate public nuisances caused by noxious or dangerous weeds without complying with the competitive bid law.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Covington	Foshee	Menton	
Amari	Denton	Goodwin	Parsons	
Barron	Dial	Hale	Rice	
Bedford	Dixon	Hilliard	Sanders	
Bennett	Drinkard	Horn	Smith (B)	
Cabaniss	Ellis	Manley	Smith (J)	
Corbett	Figures			—25

Nays: —0

THE BILL:

H. 196. To amend section 11-52-32 of the Code of Alabama 1975 relating to planning, zoning and subdivisions, so as to provide further for the planning commissions of Class 1 municipalities to elect no less than three and no more than five of the members thereof to serve as a committee to approve or disapprove any plat presented to such commission.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Covington	Foshee	Menton	
Amari	Denton	Goodwin	Parsons	
Barron	Dial	Hale	Rice	
Bedford	Dixon	Hilliard	Sanders	
Bennett	Drinkard	Horn	Smith (B)	
Cabaniss	Ellis	Manley	Smith (J)	
Corbett	Figures			—25

Nays: —0

THE BILL:

H. 197. To amend Act No. 929, 1951 Regular Session (General Acts of 1951, p. 1579), as amended by Act No. 1272, 1973 Regular Session (Acts 1973, p. 2124), and as previously and subsequently amended, which created a retirement system for officers and employees in cities of two hundred thousand or more inhabitants according to the latest federal decennial census, so as to provide further for the payments of benefits during periods of re-employment.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Covington	Foshee	Menton
Amari	Denton	Goodwin	Parsons
Barron	Dial	Hale	Rice
Bedford	Dixon	Hilliard	Sanders
Bennett	Drinkard	Horn	Smith (B)
Cabaniss	Ellis	Manley	Smith (J)
Corbett	Figures		

—25

Nays: —0

THE BILL:

H. 297. To propose an amendment to the Constitution of Alabama of 1901, to empower the legislature from time to time by local act to authorize or require the Jefferson County Commission to prohibit the overgrowth of weeds and the storage and accumulation of certain junk, motor vehicles and litter and to provide for the implementation, administration and enforcement of said prohibition and the assessment of certain criminal penalties; and to also provide for the validation of certain acts.

was read a third time at length as required by the Constitution and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Covington	Foshee	Menton
Amari	Denton	Goodwin	Parsons
Barron	Dial	Hale	Rice
Bedford	Dixon	Hilliard	Sanders
Bennett	Drinkard	Horn	Smith (B)
Cabaniss	Ellis	Manley	Smith (J)
Corbett	Figures		

—25

Nays: —0

THE BILL:

H. 229. Relating to Jefferson County; to amend Article VI of Act No. 1272, H. 620, 1973 Regular Session (Acts 1973, p. 2124), relating to the extraordinary disability benefits of the City of Birmingham Retirement and Relief System, so as to provide that extraordinary disability benefits shall not be paid to any participant who joins the system on or after January 1, 1989, during any period that a disabled participant is able to perform other

duties in his job classification or the customary duties of another job with that participant's employer, which duties or job has been offered to participant and which job pays a salary or wage equal to or greater than the salary or wage such participant was earning at the time of the incident causing the disability, and to provide that, for injuries occurring after January 1, 1989, the Board of Managers may waive the one-year limitation and grant an application for extraordinary disability allowance if granted within thirty-six months after the incident resulting in such disability.

was read a third time at length and passed.

Yeas 4; Nays 1.

Yeas:

Senators:	Cabaniss	Hilliard	Horn	
Bennett				—4

<i>Nay:</i> Senator Parsons	—1
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The President and Presiding Officer of the Senate stated that there was a quorum present and not voting.

Senator Hilliard moved that the Senate reconsider the vote by which the Bill, H. B. 229, was passed, and further moved that the motion to reconsider be laid on the table. The motion to table prevailed.

THE BILL:

H. 177. Relating to Jefferson County, providing for a subsistence allowance for certain law enforcement officers.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Covington	Foshee	Menton	
Amari	Denton	Goodwin	Parsons	
Barron	Dial	Hale	Rice	
Bedford	Dixon	Hilliard	Sanders	
Bennett	Drinkard	Horn	Smith (B)	
Cabaniss	Ellis	Manley	Smith (J)	
Corbett	Figures			—25

<i>Nays:</i>	—0
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Senator Horn moved that the Senate reconsider the vote by which the Bill, H. B. 177, was passed, and further moved that the motion to reconsider be laid on the table. The motion to table prevailed.

SPECIAL ORDER

The Senate proceeded to consideration of the special, paramount, and continuing order of business for today, the first of which was the Bill:

H. 6. Relating to elections; to define the meaning of terms used in this act; to provide for the designation and organization of a principal campaign committee by each candidate for election to state or local office; to designate the Secretary of State and the Judge of Probate as the recipients of reports

and statements required to be filed by this act; to provide for the registration of political committees, including the principal campaign committee of each candidate; to provide for the reporting of contributions received and expenditures made by political committees; to provide for the designation of campaign depositories; to delineate the duties of the Secretary of State and Judge of Probate; to provide for the disbursement of campaign contributions in excess of expenditures; to provide for proper identification of campaign advertising; to prohibit the intimidation of voters, certain expenditures to influence voting, the publication or distribution of certain political statements, contributions in the name of another, fraudulent misrepresentations of campaign authority, and coercion of contributions; to provide penalties for the violation of the provisions of this act; to require that certificates of election be withheld under certain circumstances; and to repeal chapter 22 of Title 17 of the Code of Alabama 1975.

Senator Manley offered the following amendment to the Bill, H. B. 6, to-wit:

AMENDMENT TO H. B. 6

Amend H. B. 6 as follows:

On page 17, line 9, between the period and the word "No" insert the following:

Venue for cases involving violations of this act shall be in the county in which the alleged violator resides.

Which was adopted.

Yeas 28; Nays 0.

Yeas:

Senators:	Campbell	Ellis	Holmes
Amari	Corbett	Figures	Horn
Bailey	Covington	Foshee	Langford
Barron	deGraffenried	Goodwin	Manley
Bedsole	Denton	Hale	Menton
Bennett	Dial	Hand	Mitchem
Bishop	Drinkard	Hilliard	Sanders
Cabaniss			

—28

Nays:

—0

Senator Manley then offered the following amendment No. 2 to the Bill, H. B. 6, as amended, to-wit:

AMENDMENT NO. 2 TO H. B. 6, AS AMENDED

Amend H. B. 6, as amended, as follows:

On page 2, line 19, delete the language "; or" and insert in lieu thereof:

or in the case of an independent seeking ballot access, on the date when he or she files a petition with the probate judge in the case of county offices or the secretary of state in all other cases; or

Which was adopted.

Yeas 28; Nays 0.

Yeas:

Senators:	Campbell	Ellis	Holmes	
Amari	Corbett	Figures	Horn	
Bailey	Covington	Foshee	Manley	
Barron	deGraffenried	Goodwin	Menton	
Bedsole	Denton	Hale	Mitchem	
Bennett	Dial	Hand	Parsons	
Bishop	Drinkard	Hilliard	Sanders	
Cabaniss				—28

Nays: —0

Senator Manley then offered the following amendment No. 3 to the Bill, H. B. 6, as amended, to-wit:

AMENDMENT NO. 3 TO H. B. 6, AS AMENDED

Amend H. B. 6, as amended, as follows:

In section 15, page 15, line 20, after the period insert the following additional language:

Provided, however, political parties, committees or other political organizations are hereby prohibited from requiring that any candidate file the identical information required to be reported pursuant to this act or any additional information other than a copy of the report required in this bill.

Which was adopted.

Yeas 25; Nays 3.

Yeas:

Senators:	Cabaniss	Figures	Langford	
Amari	Corbett	Foshee	Manley	
Bailey	Covington	Hale	Menton	
Barron	deGraffenried	Hand	Mitchem	
Bedsole	Denton	Hilliard	Smith (B)	
Bennett	Dial	Holmes	Smith (J)	
Bishop	Ellis			—25

Nays:

Senators:	Goodwin	Horn	Parsons	—3
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Senator Hilliard offered the following amendment to the Bill, H. B. 6, as amended, to-wit:

AMENDMENT TO H. B. 6, AS AMENDED

Amend House Bill No. 6, as amended, Page 16 Line 23, by striking out the period after the word act and inserting "until said report is filed" and add a period. And on line 26 on page 16 strike the period after the word revoked and add "until said report is filed" and add the period after the word filed.

On motion of Senator Cabaniss, said amendment was laid on the table.

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Yeas 19; Nays 11.

Yeas:

Senators:	Cabaniss	Dial	Holmes	
Amari	Campbell	Ellis	Langford	
Bailey	Corbett	Foshee	Parsons	
Bedsole	Covington	Goodwin	Rice	
Bennett	deGraffenried	Hale	Smith (J)	—19

Nays:

Senators:	Figures	Horn	Mitchem	
Barron	Hand	Manley	Preuitt	
Bedford	Hilliard	Menton	Sanders	—11

Senator Foshee moved that further consideration of the Bill, H. B. 6, as amended, be postponed subject to the call of the Chair, which motion was lost.

Yeas 8; Nays 19.

Yeas:

Senators:	Figures	Hilliard	Preuitt	
Barron	Foshee	Horn	Smith (B)	
deGraffenried				—8

Nays:

Senators:	Bennett	Dial	Holmes	
Amari	Cabaniss	Drinkard	Langford	
Bailey	Campbell	Ellis	Mitchem	
Bedford	Corbett	Goodwin	Parsons	
Bedsole	Covington	Hale	Rice	—19

Senator deGraffenried offered the following amendment to the Bill, H. B. 6, as amended, to-wit:

AMENDMENT TO H. B. 6, AS AMENDED

Amend H. B. 6, as amended, on Page 4, by inserting the following paragraph after Line 25 and before Line 26:

“6. The value or cost of polling data and voter preference data and information if provided to a candidate or political committee, unless such information was compiled with the advance knowledge of and approval of the candidate.”

Further amend H. B. 6, as amended, on Page 6, Line 26, by deleting the word “or” after the word “group” and inserting in lieu thereof the word “of”.

Further amend H. B. 6, as amended, on Page 6, Line 30, by adding the following new language after the word “committee.”

“For the purposes of this Act an individual who makes a personal political contribution (other than a candidate who makes a contribution to himself), shall not be considered a political committee.”

Which was adopted.

Yeas 27; Nays 0.

Yeas:

Senators:	Bishop	Drinkard	Horn	
Amari	Cabaniss	Ellis	Langford	
Bailey	Campbell	Figures	Manley	
Barron	Covington	Foshee	Menton	
Bedford	deGraffenried	Goodwin	Mitchem	
Bedsale	Denton	Hilliard	Parsons	
Bennett	Dial	Holmes	Smith (J)	—27

Nays: —0

Senator Parsons offered the following amendment to the Bill, H. B. 6, as amended, to-wit:

AMENDMENT TO H. B. 6, AS AMENDED

Amend House Bill No. 6, as amended, Page 14 Line 21, by striking out after the word "To" the words prescribe and "promulgate" and inserting the in lieu the word "Furnish"

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	deGraffenried	Goodwin	Menton	
Amari	Denton	Hale	Parsons	
Bedsale	Dial	Hand	Preuitt	
Bishop	Drinkard	Horn	Rice	
Cabaniss	Ellis	Langford	Sanders	
Campbell	Figures	Manley	Smith (J)	
Covington	Foshee			—25

Nays: —0

Senator Sanders offered the following amendment to the Bill, H. B. 6, as amended, to-wit:

AMENDMENT TO H. B. 6, AS AMENDED

Amend House Bill No. H. B. 6, as amended, Page 8 Line 15, by striking out the word "but" after the word committee, and further striking out lines 16-18 and all that part of line 19 through the word "act" and renumbering all lines accordingly

On motion of Senator Goodwin, said amendment was laid on the table.

Senator Bedford offered the following amendment to the Bill, H. B. 6, as amended, to-wit:

AMENDMENT TO H. B. 6, AS AMENDED

On page 2 on line 8 after the language "Code of Alabama 1975", insert: and to provide certain retroactive effect

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On page 17, delete lines 29, 30 and 31 in their entirety and insert in lieu thereof:

reporting requirements provided for in this act shall apply retroactively to January 1, 1988.

Which was adopted.

Yeas 22; Nays 0.

Yeas:

Senators:	Cabaniss	Foshee	Manley	
Amari	Campbell	Goodwin	Menton	
Barron	Corbett	Hale	Mitchem	
Bedford	Covington	Hand	Preuitt	
Bedsole	deGraffenried	Horn	Smith (B)	
Bennett	Drinkard	Langford		—22

Nays: —0

Senator Barron offered the following amendment to the Bill, H. B. 6, as amended, to-wit:

AMENDMENT TO H. B. 6, AS AMENDED

On page 16, line 12, after the period, insert the following language:

It shall be unlawful for any political party pac or individual to use any information required to be filed under the provisions of this act for the purpose of campaign solicitations or to use said information for any purpose whatsoever without the written consent of the person or persons required to file said information.

Which was adopted.

Yeas 23; Nays 7.

Yeas:

Senators:	Campbell	Goodwin	Menton	
Amari	Denton	Hale	Mitchem	
Barron	Drinkard	Hand	Preuitt	
Bedford	Ellis	Horn	Rice	
Bennett	Figures	Langford	Smith (B)	
Bishop	Foshee	Manley	Smith (J)	—23

Nays:

Senators:	Bedsole	Covington	Holmes	
Bailey	Cabaniss	Dial	Parsons	—7

Senator Manley offered the following amendment No. 4 to the Bill, H. B. 6, as amended, to-wit:

AMENDMENT NO. 4 TO H. B. 6, AS AMENDED

Amend House Bill No. 6, as amended, Page 17 Line 6, by inserting a period after the word act and deleting all words thereafter on lines 6, 7, 8 and the first four (4) words on line 9.

Which was adopted.

Yeas 23; Nays 1.

Yeas:

Senators:	Cabaniss	Figures	Manley	
Amari	Campbell	Foshee	Parsons	
Bailey	deGraffenried	Goodwin	Preuitt	
Barron	Denton	Hale	Sanders	
Bedsole	Dial	Hand	Smith (B)	
Bennett	Ellis	Langford	Smith (J)	—23

Nay: Senator Bedford —1

MESSAGE FROM THE HOUSE

Mr. President Pro Tem:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 297. To propose an amendment to the Constitution of Alabama of 1901, to empower the legislature from time to time by local act to authorize or require the Jefferson County Commission to prohibit the overgrowth of weeds and the storage and accumulation of certain junk, motor vehicles and litter and to provide for the implementation, administration and enforcement of said prohibition and the assessment of certain criminal penalties; and to also provide for the validation of certain acts.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President Pro Tem:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 75. To alter, extend, rearrange and redefine the boundaries and corporate limits of the City of Huntsville in Madison County, annexing certain territory to the city.

Also:

H. 190. Relating to Jefferson County; to continue the office of Assistant Sheriff, Bessemer Division; to prescribe the duties, responsibilities and term; to provide for the appointment, qualifications and compensation of said office; to repeal all conflicting statutes; to provide for severability of the provisions of this act and to prescribe the effective date of such act.

Also:

H. 191. To provide for the appointment of a Chief Deputy Tax Collector by the Elected Jefferson County Tax Collector and to provide for compensation, funding and qualifications of said Chief Deputy.

Also:

H. 192. To provide for the appointment of a Chief Deputy Tax Collector by the Elected Jefferson County Assistant Tax Collector, Bessemer Division, and to provide for compensation, funding and qualifications of said Chief Deputy.

Also:

H. 195. To amend Act No. 453 of the 1967 Regular Session of the Legislature of Alabama, (1967 Acts of Alabama, page 1129), as amended by Act No. 393 of the 1975 Regular Session of the Legislature of Alabama, said acts providing a pension and relief fund for officers and employees of the library board of any city having a population of three hundred thousand or more according to the last and any subsequent federal census, said act applicable to the officers and employees of the Birmingham Public Library System, to provide for the participation of the employees of the library board who are currently entitled to participate in the unclassified pension relief plan of the City of Birmingham to participate in the Birmingham Library Board Employees Pension and Relief Fund and to provide for related matters.

Also:

H. 291. Relating to Mobile County; providing for the compensation and payment of an additional salary for members of the county governing body, and to preserve certain Mobile County acts regarding salary and expense allowances for said members.

Also:

H. 177. Relating to Jefferson County, providing for a subsistence allowance for certain law enforcement officers.

Also:

H. 196. To amend section 11-52-32 of the Code of Alabama 1975 relating to planning, zoning and subdivisions, so as to provide further for the planning commissions of Class 1 municipalities to elect no less than three and no more than five of the members thereof to serve as a committee to approve or disapprove any plat presented to such commission.

Also:

H. 197. To amend Act No. 929, 1951 Regular Session (General Acts of 1951, p. 1579), as amended by Act No. 1272, 1973 Regular Session (Acts 1973, p. 2124), and as previously and subsequently amended, which created a retirement system for officers and employees in cities of two hundred thousand or more inhabitants according to the latest federal decennial census, so as to provide further for the payments of benefits during periods of re-employment.

Also:

H. 229. Relating to Jefferson County; to amend Article VI of Act No. 1272, H. 620, 1973 Regular Session (Acts 1973, p. 2124), relating to the

extraordinary disability benefits of the City of Birmingham Retirement and Relief System, so as to provide that extraordinary disability benefits shall not be paid to any participant who joins the system on or after January 1, 1989, during any period that a disabled participant is able to perform other duties in his job classification or the customary duties of another job with that participant's employer, which duties or job has been offered to participant and which job pays a salary or wage equal to or greater than the salary or wage such participant was earning at the time of the incident causing the disability, and to provide that, for injuries occurring after January 1, 1989, the Board of Managers may waive the one-year limitation and grant an application for extraordinary disability allowance if granted within thirty-six months after the incident resulting in such disability.

Also:

H. 301. Relating to counties having a population excess of 500,000 according to the most recent federal decennial census; to amend Section 1 of Act No. 81-752, H. 33, 1981 Regular Session, which relates to the compensation of certain election officials so as to increase their compensation.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 311. Relating to Bibb County, to authorize the county commission to levy an additional one cent (\$.01) sales and use tax in the county in areas located outside the corporate limits of Centreville, Brent and West Blocton; to provide for collection of said tax by the state revenue department; and to distribute the net proceeds of said tax to the county general fund.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President Pro Tem:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 178. Relating to Etowah County; to authorize the probate judge to set the fee for supplying a copy of an instrument; to place the proceeds from the fees in a special fund and provide for its use.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 74. MOURNING THE DEATH OF BEULAH MAE DONALD OF MOBILE, ALABAMA.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 61. RECOGNIZING THE EXEMPLARY PUBLIC SERVICE OF JOE W. DAVIS TO THE CITY OF HUNTSVILLE AND TO THE STATE OF ALABAMA.

Also:

S. J. R. 62. COMMENDING JOHN L. VARNADO FOR OUTSTANDING COMMUNITY, CIVIC AND FRATERNAL INVOLVEMENT.

Also:

S. J. R. 64. NAMING THE ALABAMA FORESTRY COMMISSION DISTRICT FOUR BUILDING THE ERNIE MOORE BUILDING.

Also:

S. J. R. 66. MOURNING THE DEATH OF WALKER BYRD SORRELL OF MONTGOMERY, ALABAMA.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President Pro Tem:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 311. Relating to Bibb County, to authorize the county commission to levy an additional one cent (\$.01) sales and use tax in the county in areas located outside the corporate limits of Centreville, Brent and West

Blocton; to provide for collection of said tax by the state revenue department; and to distribute the net proceeds of said tax to the county general fund.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 333. To propose an amendment to the Constitution of Alabama of 1901, as amended, so that notwithstanding existing provisions thereof the governing body of the City of Huntsville in Madison County shall have the authority to make a one-time appropriation of money, up to a maximum total appropriation of \$2,000,000.00, to one or more bona fide nonprofit organizations, which at the time of such appropriation has been organized for the purpose of fostering and coordinating volunteer activity in the field of the literary, visual, or performing arts, which said appropriation is to be used exclusively for construction of one or more buildings located within said city and owned by such organization; to provide that the City of Huntsville shall also have the authority to provide up to \$100,000.00 annually for certain operational expenses and maintenance of buildings; to provide that the provisions of such amendment, if adopted, shall be self-executing; and to provide for referendum.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 308. Relating to Perry County; authorizing the county commission to levy a one percent (1%) sales and use tax, a three cent (\$.03) tobacco tax, and a two cent (\$.02) gasoline tax, providing for the distribution of said taxes and for penalties in violation of this act.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 36. To make an appropriation from the State General Fund and the Alabama Special Educational Trust Fund for the fiscal year 1988-89 for the use of a sickle cell education program.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 145. To make an appropriation for the support and maintenance of Camp ASCCA, in Jackson Gap, Alabama for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 185. To make an appropriation from the Alabama Special Educational Trust Fund in the amount of \$400,000 to the Children's and Women's Hospital for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 62. To amend Section 14-1-14 of the Code of Alabama 1975, increasing the Corrections revolving fund to \$40,000.00.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 7. Relating to Madison County, providing a certain county supplement to the salary of each supernumerary circuit clerk in the Twenty-third Judicial Circuit payable from the county treasury.

JOHN W. PEMBERTON,
Clerk.

FURTHER CONSIDERATION OF H. B. 6, AS AMENDED

The Senate proceeded to further consideration of the Bill, H. B. 6, as amended.

Senator Bedsole offered the following amendment to the Bill, H. B. 6, as amended, to-wit:

AMENDMENT TO H. B. 6, AS AMENDED

Amend House Bill No. 6, as amended, Page 6 Line 29, by striking out the word "proposition" after the word official,

On motion of Senator Bennett, said amendment was laid on the table.

And said Bill, H. B. 6, as amended, was read a third time at length and passed.

Yeas 34; Nays 0.

Yeas:

Senators:	Campbell	Foshee	Menton	
Amari	Corbett	Goodwin	Mitchem	
Bailey	Covington	Hale	Parsons	
Barron	deGraffenried	Hand	Preuitt	
Bedford	Denton	Hilliard	Rice	
Bedsole	Dial	Holmes	Sanders	
Bennett	Drinkard	Horn	Smith (B)	
Bishop	Ellis	Langford	Smith (J)	
Cabaniss	Figures	Manley		—34

Nays: —0

Senator Bennett moved that the Senate reconsider the vote by which the Bill, H. B. 6, as amended, was passed, and further moved that the motion to reconsider be laid on the table. The motion to table prevailed.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Rep. Grouby:

H. J. R. 147. CONGRATULATING CHRISTY LYNN MCMICHAEL OF PRATTVILLE, ALABAMA, FOR OUTSTANDING ACHIEVEMENT.

Also:

By Rep. Grouby:

H. J. R. 148. MOURNING THE DEATH OF WILLIAM HOLLIE MONCRIEF OF PRATTVILLE, ALABAMA.

Also:

By Reps. Hill and Knight:

H. J. R. 149. COMMENDING SHELBY COUNTY'S ELVIN HILL ELEMENTARY SCHOOL.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Ellis, the Rules were suspended and the Resolutions, H. J. R.'s 147, 148, and 149, set out in the foregoing Message from the House, were concurred in and adopted by the Senate.

RESOLUTION

Senators deGraffenried, Cabaniss, Amari, Bailey, Barron, Bedford, Bedsole, Bennett, Bishop, Campbell, Corbett, Covington, Denton, Dial, Dixon, Drinkard, Ellis, Figures, Foshee, Goodwin, Hale, Hilliard, Holmes, Horn, Langford, Manley, Menton, Mitchem, Parsons, Preuitt, Rice, Sanders, Smith (B), and Smith (J) offered the following Senate Joint Resolution, to-wit:

S. J. R. 76. MOURNING THE DEATH OF MARY HARRIETT MOON HAND OF HEFLIN, ALABAMA.

WHEREAS, it is with deep sadness and regret that the Legislature of Alabama records the death of Mary Harriett Moon Hand of Heflin, Alabama, on September 17, 1988, at the age of 78 years; and

WHEREAS, a native of Ranburne, Alabama, and a longtime resident of Heflin, Mrs. Hand was a member of the Heflin United Methodist Church, Heflin Garden Club and the Retired Teachers Association; and was supportive also of other civic and charitable endeavors in the Heflin community; and

WHEREAS, preceded in death by her husband, Joseph Noel Hand, Mrs. Hand is survived by a daughter, Mary Jo Boyd; sons, Billy J. Hand, Noel E. Hand and Perry A. Hand; and by 13 grandchildren and ten great grandchildren; and

WHEREAS, the death of Mary Harriett Moon Hand has indeed left a deep void in the life of her community and in the hearts of her family, neighbors and friends who knew and loved her as a warm and gracious lady of infinite care and concern for the happiness and well-being of others; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we grievously mourn the death of Mary Harriett Moon Hand of Heflin, Alabama, and extend our very deepest sympathy to all her family, for whom copies of this resolution shall be provided that they may know of our shared sorrow in their great and inconsolable loss.

On motion of Senator deGraffenried, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 94. To amend section 36-21-9 of the Code of Alabama 1975, which provides for a card authorizing an honorably retired law enforcement officer to carry a handgun so as to change the issuance of the card from an annual to a permanent basis.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 150. To amend sections 16-33B-1, 16-33B-3 and 16-33B-4, Code of Alabama 1975, relating to the Alabama guaranteed student loan program, so as to define approved lender, student loan, Federal Student Loan Law and eligible institution; to provide program administration in accordance with the Federal Student Loan Law; to provide for basic powers and duties of the Alabama Commission on Higher Education in accordance with the Federal Student Loan Law; to promote the availability of the Alabama guaranteed student loan program; and to service loans.

JOHN W. PEMBERTON,
Clerk.

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 319. To provide for the levy of a six percent (6%) sales tax surcharge on the sale of certain spirituous or fermented alcoholic beverages, excluding beer or other malt beverages and wines, which are sold for on-premises consumption, to be paid on a per drink basis by all clubs, bars, or other establishments which serve the aforementioned beverages; that the provisions of this act shall be administered by the department of revenue; that the commissioner of revenue shall have the authority to promulgate necessary rules and regulations for the administration and enforcement of the provisions of this act; that revenues generated by said tax shall be placed in the state's general fund.

was taken up.

Senator Rice offered the following substitute for the Bill, H. B. 319, to-wit:

SUBSTITUTE FOR H. B. 319**A BILL
TO BE ENTITLED
AN ACT**

To amend Section 28-3-203, Code of Alabama 1975, by increasing the tax levied upon the selling price of all spirituous or vinous liquors sold by the Alabama Alcoholic Beverage Control Board from 5% to 13%, and to pledge and appropriate a portion of the receipts collected under this Act to provide for payment of the principal on, premium, if any, and interest on, all bonds issued by the Alabama Mental Health Finance Authority, as authorized by Act 88-475, to the extent necessary for such purpose; to provide for the distribution of the remaining proceeds of such revenues.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 28-3-203, Code of Alabama 1975, is hereby amended as follows:

“§ 28-3-203.

“(a) Repealed by Acts 1986, No. 86-212, §3.

“(b) Levy and collection.—In addition to all other taxes of every kind now imposed by law and in addition to any marked-up price authorized or

required by law, there is hereby levied and shall be collected a tax at the rate of five thirteen percent upon the selling price of all spirituous or vinous liquors sold by the board. The tax imposed by this subsection shall be collected by the board from the purchaser at the time the purchase price is paid.

The markup as currently established by the board on spirituous or vinous liquors shall not be reduced by the board for the purpose of absorbing the tax levied by this subsection, it being the intention of this provision that the said tax shall be passed on to the purchaser.

“(c) Disposition of proceeds.—

(1) All 38.5% of the revenues collected under the provisions of subsection (b) of this section shall be paid into the state treasury to the credit of the general fund.

(2) 61.5% of the revenues collected under the provisions of subsection (b) of this section are hereby irrevocably pledged and hereby appropriated for the purposes of providing for payment of the principal of, premium, if any, and interest on, all bonds issued by the Alabama Mental Health Finance Authority, as authorized by Act 88-475, in the amount that may be necessary for such purposes to the extent and only to the extent that the revenues appropriated for such purposes under Act 88-476 are not sufficient to pay at their respective maturities the principal of, premium, if any, and interest on, such bonds.

“(d) Any portion of the aforesaid 61.5% of the revenues pledged and appropriated in subsection (c) (2), above, not needed in any fiscal year shall be deposited in the state treasury to the credit of the State General Fund.”

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 4. This act shall become effective October 1, 1988.

Which was adopted.

Yeas 26; Nays 3.

Yeas:

Senators:	Covington	Goodwin	Manley
Barron	deGraffenried	Hale	Menton
Bedford	Denton	Hand	Mitchem
Bedsole	Dial	Hilliard	Rice
Cabaniss	Drinkard	Holmes	Sanders
Campbell	Ellis	Horn	Smith (B)
Corbett	Foshee	Langford	

—26

Nays:

Senators:	Amari	Bishop	Figures	—3
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And said Bill, H. B. 319, as thus amended by the substitute, was read a third time at length and passed.

Yeas 26; Nays 3.

Yeas:

Senators:	Covington	Hale	Menton	
Barron	deGraffenried	Hand	Mitchem	
Bedford	Denton	Hilliard	Preuitt	
Bedsole	Drinkard	Holmes	Rice	
Cabaniss	Ellis	Horn	Sanders	
Campbell	Foshee	Langford	Smith (B)	
Corbett	Goodwin	Manley		—26

Nays:

Senators:	Amari	Bishop	Figures	—3
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MESSAGE FROM THE HOUSE

Mr. President:

The House has non-concurred in the Senate amendment to the Bill:

H. 34. To make an appropriation for the support and maintenance of the Special Schools for Special Education for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

and requests a Committee on Conference.

And the Speaker of the House has appointed as Conferees on part of the House, Representatives: Harper, Kennedy, and Freeman.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Horn, the Senate acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill, H. B. 34, the title of which is set out in the foregoing Message from the House.

Yeas 27; Nays 0.

Yeas:

Senators:	Corbett	Goodwin	Menton	
Amari	deGraffenried	Hale	Mitchem	
Barron	Denton	Hand	Parsons	
Bedford	Dial	Hilliard	Preuitt	
Bedsole	Drinkard	Holmes	Rice	
Cabaniss	Ellis	Langford	Sanders	
Campbell	Foshee	Manley	Smith (B)	—27

Nays:

—0

And the President and Presiding Officer of the Senate appointed as Committee on the part of the Senate, Senators Dial, Rice, and Hilliard.

RESOLUTION

Senators Rice, Dial, Preuitt, Corbett, and Holmes offered the following Senate Joint Resolution, to-wit:

S. J. R. 77. NAMING THE DUAL BRIDGES, SPANNING CHATTASOFKA CREEK ON THE U. S. 280 DADEVILLE BY-PASS, IN HONOR OF JESSIE DENSON MCGILL.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That in honor of Jessie Denson McGill, a valued state employee and district engineer with the Alexander City Division of the State Highway Department, we hereby name and designate each of the dual bridges, spanning Chattasofka Creek, on the U. S. 280 Dadeville By-pass, the "Jessie Denson McGill Bridge."

BE IT FURTHER RESOLVED, That the proper officials are hereby authorized to erect and maintain appropriate signs and markers so designating each bridge as the "Jessie Denson McGill Bridge."

RESOLVED FURTHER, That a copy of this resolution be presented to Mr. McGill as a memento of this honorary designation of the Legislature in appreciation of distinguished service to the State of Alabama and to the State Highway Department.

On motion of Senator Rice, the Rules were suspended and the Resolution was adopted by the Senate.

BILLS ON THIRD READING RESUMED

THE BILL:

H. 342. To amend Act No. 88-475, H. 747, 1988 Regular Session, which act creates the Alabama Mental Health Finance Authority and provides for mental health projects of the Authority, and financing of such projects; so as to authorize the Authority to enter into any necessary financial instruments or obligations with the Retirement Systems of Alabama in order to secure financing for the funding of projects of the Authority; and to provide that tax proceeds derived from sections 40-2-1 and 40-25-41, Code of Alabama 1975, or any subsequent tobacco tax, shall be primarily pledged for the payment of principal and interest on any said financing agreement.

was taken up.

On motion of Senator deGraffenried, further consideration of the Bill was postponed subject to the call of the Chair.

THE BILL:

H. 137. To provide for the method of filing applications for allocations of a portion of the "State Ceiling" applicable to tax-exempt bonds; to establish expiration and reversion dates for allocation of "State Ceiling" and conditions subsequent to such allocations; to allocate the entire "State Ceiling" to the State, subject to redistribution by the State Industrial Development Authority; to reserve certain portions of the "State Ceiling" for the use and benefit of Alabama Housing Finance Authority and Alabama Higher Education Loan Corporation; to provide for the allocation of portions of the "State Ceiling" to issuers of small issue bonds for manufacturing facilities and for exempt facility bonds and for the allocation of a portion of the "State Ceiling" at the discretion of the State Industrial Development Authority; to provide a

procedure for carry-forward allocations; to establish an effective date; to authorize the State Industrial Development Authority to adopt rules and regulations governing the making of allocations; to designate the president of the State Industrial Development Authority as the State official authorized to make certain certifications required under the Internal Revenue Code of 1986, as amended; and to impose a duty of fairness and impartiality in the administration of the allocation program.

was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Senators:	Corbett	Foshee	Manley	
Amari	Covington	Goodwin	Menton	
Barron	Denton	Hale	Mitchem	
Bedford	Dial	Hand	Preuitt	
Bedsole	Drinkard	Horn	Sanders	
Cabaniss	Ellis	Langford	Smith (B)	
Campbell				—24

Nays: —0

MOTION TO RECESS LOST

At 5:10 P.M., Senator Manley moved that the Senate take a recess until 6:30 this evening, which motion was lost.

Yeas 11; Nays 13.

Yeas:

Senators:	Bedsole	Hale	Preuitt	
Barron	Cabaniss	Hand	Smith (B)	
Bedford	Dial	Manley	Smith (J)	—11

Nays:

Senators:	Corbett	Foshee	Langford	
Amari	Covington	Goodwin	Menton	
Bishop	Denton	Horn	Mitchem	
Campbell	Ellis			—13

FURTHER CONSIDERATION OF H. B. 47

The Senate proceeded to further consideration of the Bill:

H. 47. To amend sections 27-4-4 and 27-4-5, Code of Alabama 1975, so as to delete provisions allowing insurance companies to deduct examination expenses from premium taxes.

and pending Bishop substitute, which said substitute is set out in the Journal of the Senate for the Seventh Legislative Day.

Senator Corbett offered the following substitute for the Bishop substitute for the Bill, H. B. 47, to-wit:

CORBETT SUBSTITUTE FOR BISHOP SUBSTITUTE FOR H. B. 47

A BILL TO BE ENTITLED AN ACT

To amend Sections 27-4-4 and 27-4-5, Code of Alabama 1975, so as to delete the provisions allowing insurance companies to deduct examination

expenses from premium taxes and to increase domestic premium tax rates and to provide that the increased revenue will be deposited in the State General Fund.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 27-4-4, Code of Alabama, 1975 is hereby amended to read as follows:

Section 27-4-4.

“(a) Every foreign insurer, except foreign life insurers, shall pay to the commissioner a premium tax amounting to four percent of the premiums received by such foreign insurer for business done in this state except as to wet marine and transportation insurance as defined in section 27-5-8, whether the same are actually received by said insurer in this state or elsewhere. Every foreign life insurer shall pay to the commissioner a premium tax amounting to one percent of annuity considerations and a premium tax of three percent of any other premiums received by such foreign life insurer for business done in this state, whether the same are actually received by said insurer in this state or elsewhere. The rate of tax on premiums shall be subject to reduction as provided in this section. Beginning January 1, 1987, each foreign insurer shall pay its premium taxes on October 15, 1987, on an estimated basis of 50 percent of premiums received by such insurer in 1986 for business done in this state or, at the option of the insurer, based on its actual business done in this state from January 1 through June 30, 1987. On March 1, 1988, each foreign insurer shall remit with its premium tax return, the remainder of the premium taxes due on its actual business done in this state during the preceding calendar year, 1987. Beginning January 1, 1988, and all years thereafter, each foreign insurer shall pay its premium taxes on a quarterly basis as follows: the May 15 payment shall be estimated on 25 percent of its actual business done in this state during the preceding calendar year or, at the option of such insurer, based on its actual business done in this state from January 1 through March 31 of the same calendar year; the August 15 payment shall be estimated on 25 percent of its business done in this state during the preceding calendar year or, at the option of such insurer, based on its actual business done in this state from April 1 through June 30 of the same calendar year; the November 15 payment shall be estimated on 25 percent of its business done in this state during the preceding calendar year or, at the option of such insurer, based on its actual business done in this state from July 1 through September 30 of the same calendar year and the March 1 payment shall be in the amount of the remainder of the premium taxes due on its actual business done in this state during the preceding calendar year. Each authorized insurer shall file with the commissioner a statement, in form as furnished or approved by him, setting forth the total amount of premiums and annuity considerations received by it for business done in this state during the period covered by the tax payment, except as to wet marine and transportation insurance as defined in section 27-5-8. The statement shall be verified by the affidavit of an officer of the insurer having knowledge of the facts. It is the intent and meaning of this section that any taxes paid based on an estimated basis for the preceding calendar year shall be reconciled to actual premiums collected in this state for a calendar year on the March 1 payment date of the succeeding calendar year. Further, that the premium taxes on premiums collected during the first and second six-month periods of calendar year 1987, shall be paid in the manner specifically provided in this section.

The premium taxes collected in this section shall be deposited in the state treasury and credited in accordance with the following tabulation:

(1) To the credit of the state general fund, from which the legislature may appropriate funds for old age assistance purposes.

- a. One hundred percent of premium tax on foreign life insurers;
- b. Sixty-two and one-half percent of premium tax on all foreign property insurers; and
- c. Seventy-five percent of premium tax on all other foreign insurers; and

(2) To the credit of the Alabama special educational trust fund:

- a. Thirty-seven and one-half percent of premium tax on foreign property insurers; and
- b. Twenty-five percent of premium tax on all other foreign insurers.

~~(b) If the annual statement or other report required to be made by such foreign insurer to the Alabama department of insurance, whose premiums are taxed under this chapter, for the preceding calendar year shows such insurer to have invested at the close of said year in Alabama investments, as defined in this section, the requisite percentages of its total admitted assets, the rate of premium tax hereby levied on premiums shall be that shown in the following schedules:~~

Percentage of Insurer's Admitted Assets Invested in Alabama Investments	Applicable Rate of Premium Tax for Foreign Life Insurers	Applicable Rate of Premium Tax for All Other Foreign Insurers
Less than 1%	3.0%	4.0%
1% and above but less than 2%	2.9%	3.9%
2% and above but less than 3%	2.8%	3.8%
3% and above but less than 4%	2.7%	3.7%
4% and above but less than 5%	2.6%	3.6%
5% and above but less than 6%	2.5%	3.5%
6% and above but less than 7%	2.4%	3.4%
7% and above but less than 8%	2.3%	3.3%
8% and above but less than 9%	2.2%	3.2%
9% and above but less than 10%	2.1%	3.1%
10% and above	2.0%	3.0%

~~(c) Alabama investments, as used in this section, shall mean any of the following investments:~~

- ~~(1) Real estate in this state;~~
- ~~(2) Bonds or interest-bearing warrants or other evidences of indebtedness of the state of Alabama or of any county, city, town, school district, state~~

~~educational institution, municipality or other subdivisions of the state, or of any duly authorized agency, board or authority of the state of Alabama or of any political subdivision thereof whether such agency, board or authority now exists or is hereafter created;~~

~~(3) Stocks, bonds or other evidences of indebtedness of any housing or redevelopment authority organized under the Housing Authorities Law or Redevelopment Law of the state of Alabama, as from time to time established and amended;~~

~~(4) Notes or bonds secured by mortgages or other liens on real estate or on leasehold interests in real estate in the state of Alabama;~~

~~(5) Stocks, bonds, debentures, notes or other evidences of indebtedness of any corporation organized under the laws of the state of Alabama;~~

~~(6) Notes, debentures or other evidences of any indebtedness of any business operated as a sole proprietorship, partnership or other legal entity having its principal office and place of business in the state of Alabama;~~

~~(7) Notes, bonds or other evidences of indebtedness secured by mortgage or other lien upon real estate situated in the state of Alabama and insured or guaranteed, in whole or in part, by the United States or any agency or instrumentality thereof, together with any bonds, debentures or other evidences of indebtedness of the United States or any agency or instrumentality thereof received and retained in whole or partial settlement of any such insurance or guaranty;~~

~~(8) Collateral loans to Alabama residents or to others where at least one half of the value of the collateral so pledged constitutes an Alabama investment as defined in this section;~~

~~(9) Cash deposits in regularly established national or state banks in this state on the basis of the average monthly deposits throughout the calendar year;~~

~~(10) Loans secured by policies on the lives of residents of the state of Alabama;~~

~~(11) Share or share accounts of building and loan associations organized under the laws of the state of Alabama or in the share or share accounts of federal savings and loan associations having their principal office in the state of Alabama;~~

~~(12) Stocks, bonds, notes, debentures or other evidences of indebtedness of any corporation organized under the laws of any other state of the United States, to the extent that the assets of such corporation located in the state of Alabama bear to the total assets of the corporation issuing such stocks, bonds, notes or other evidences of indebtedness;~~

~~(13) Stocks, bonds, notes or other evidences of indebtedness issued by railroad companies, public carriers or transportation companies, to the extent that its trackage or mileage in Alabama bears to the total trackage or mileage of such railroad, public carrier or other transportation company;~~

~~(14) That percentage of such insurer's investments in stocks, bonds, notes or other evidences of indebtedness of any telegraph, telephone, electric power company or other public utility to the extent that the revenue of any such company from Alabama bears to the total of such telegraph, telephone, electric power company or other public utility; and~~

~~(15) That percentage of the insurer's investments held as of December 31, in direct obligations of the United States of America as the total premiums received by the company for direct insurance of subjects located, resident or to be performed in Alabama relate to the total premiums received by the insurer.~~

(d) (b) Any such tax so determined shall be subject to credit and deduction of the full amount, with 25 percent of the full amount paid, or estimated to be paid, being credited or deducted on each quarterly payment date, for:

(1) All ad valorem taxes paid by the insurer for the tax year next preceding the filing of the return required by this section upon any real estate and the improvements thereon in the state of Alabama owned and at least 50 percent occupied by the insurer for the full period of such tax year;

(2) All license fees and taxes paid to any county in this state during the year preceding the filing of the return required by this section for the privilege of engaging in the business of insurance within said county;

(3) All franchise taxes paid by the insurer under the provisions of sections 40-14-40 or 40-14-41 for the tax year preceding the filing of the return required by this section; and

~~(4) All expense of examination of the insurer by the commissioner.~~

(5) (4) All credits for assessments paid as provided under the provisions of sections 27-42-16 and 27-44-13.

(6) (5) It is the intent of this section that any estimated allowable deduction be reconciled to actual expenditures made during the calendar year next preceding the filing of the tax return and necessary adjustments reflected in the tax payment due March 1. Credit taken against taxes due for the six-month period ending June 30, 1987, and payable on October 15, 1987, will be in the amount of one-half of deductible expenses paid or estimated to be paid, and the remainder of any such expenses paid during calendar year 1987 will be reflected in the premium tax return due March 1, 1988."

Section 2. Section 27-4-5 of the Code of Alabama, 1975 is hereby amended to read as follows:

Section 27-4-5.

"(a) Every domestic life insurer shall pay to the commissioner a premium tax equal to ~~one~~ three percent of the premiums and one percent of annuity considerations received by such insurer for business done in this state during the preceding period, whether the same are actually received by said insurer in this state or elsewhere. Every other domestic insurer and every nonprofit corporation organized pursuant to the provisions of section 10-4-100 et seq. shall pay to the commissioner a premium tax equal to ~~one~~ four percent of the premiums received by such insurer for business done in this state during the preceding period, whether the same are actually received by said company in this state or elsewhere. Beginning January 1, 1987, each domestic insurer shall pay its premium taxes on October 15, 1987, on an estimated basis of 50 percent of premiums received by such insurer in 1986 for business done in this state or, at the option of such insurer, based on its actual business done in this state from January 1 through June 30, 1987. On March 1, 1988,

each domestic insurer shall remit with its premium tax return, the remainder of the premium taxes due on actual business done in this state during the preceding calendar year, 1987. Beginning January 1, 1988, and all years thereafter, each domestic insurer shall pay its premium taxes on a quarterly basis as follows: the May 15 payment shall be estimated on 25 percent of its business done in this state during the preceding calendar year or, at the option of such insurer, based on its actual business done in this state from January 1 through March 31 of the same calendar year; the August 15 payment shall be estimated on 25 percent of its business done in this state during the preceding calendar year or, at the option of such insurer, based on its actual business done in this state from April 1 through June 30 of the same calendar year; the November 15 payment shall be estimated on 25 percent of its business done in this state during the preceding calendar year or, at the option of such insurer, based on its actual business done in this state from July 1 through September 30 of the same calendar year and the March 1 payment shall be in the amount of the remainder of the actual premium taxes due on its business done in this state during the preceding calendar year. Every authorized insurer shall file with the commissioner a statement, in form as furnished or approved by him, setting forth the total amount of premiums and annuity considerations received by it for business done in this state during the period covered by the tax payment, except as to wet marine and transportation insurance as defined in section 27-5-8. The statement shall be verified by the affidavit of an officer of the insurer having knowledge of the facts. It is the intent and meaning of this section that any taxes paid based on an estimated basis for the preceding calendar year shall be reconciled to actual premiums collected in this state for a calendar year on the March 1 payment date of the succeeding calendar year. Further, that the premium taxes on premiums collected during the first and second six-month periods of calendar year 1987, shall be paid in the manner specifically provided in this section.

(b) Any such tax so determined shall be subject to credit and deduction of the full amount, with 25 percent of the full amount paid, or estimated to be paid, being credited or deducted on each quarterly payment date, for:

(1) All ad valorem taxes paid by the insurer for the tax year preceding the filing of the return required by this section upon any building and real estate in the state of Alabama owned and occupied, in whole or in part, by the insurer for the full period of such tax year as its principal office in the state of Alabama;

(2) All ad valorem taxes paid by the insurer for the tax year preceding the filing of the return required by this section upon all other real estate and improvements thereon in this state owned and at least 50 percent occupied by the insurer for the full period of such tax year;

(3) All license fees and taxes paid to any county in this state during the year preceding the filing of the return required by this section for the privilege of engaging in the business of insurance within said county;

~~(4) All expenses of examination of the insurer by the commissioner;~~

~~(5)~~ (4) All license or privilege taxes on lists of securities paid by the insurer under the provisions of section 40-24-8 during the tax year preceding the filing of the return required by this section; and

~~(6)~~ (5) All franchise taxes paid by the insurer under the provisions of section 40-14-40 for the tax year preceding the filing of the return required by this section.

(7) (6) It is the intent of this section that any estimated allowable deductions be reconciled to actual expenditures made during the calendar year next preceding the filing of the tax return and necessary adjustments reflected in the tax payment due March 1. Credit taken against taxes due for the six-month period ending June 30, 1987, and payable on October 15, 1987, will be in the amount of one-half of deductible expenses paid or estimated to be paid, and the remainder of any such expenses paid during calendar year 1987 will be reflected in the premium tax return due March 1, 1988.

(c) The premium taxes collected under this section shall be deposited in the state treasury and credited as follows:

(1) To the credit of the state general fund:

- a. ~~Fifty percent~~ 83.34 percent of premium tax on domestic life insurers;
- b. ~~No part~~ 75 percent of premium tax on nonprofit corporations organized pursuant to the provisions of section 10-4-100 et seq.; and
- c. ~~Twenty-five~~ 81.25 percent of premium tax on all other domestic insurers; and

(2) To the credit of the Alabama Special Educational Trust fund:

- a. ~~Fifty percent~~ 16.66 percent of premium tax on domestic life insurers;
- b. ~~One hundred~~ 25 percent of premium tax on nonprofit corporations organized pursuant to the provisions of section 10-4-100 et. seq.; and
- c. ~~Seventy-five~~ 18.75 percent of premium tax on all other domestic insurers.

(d) Every domestic insurer, anything in this chapter to the contrary notwithstanding, shall be exempt from and not required to pay any premium tax for or on account of any premiums or annuity considerations for hospital, medical, surgical or other health care benefits supplementary to Medicare and Medicaid received by it for or on account of business done in this state, whether the same are actually received in this state or elsewhere."

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 5. This Act shall become effective on October 1, 1988.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 36. To make an appropriation from the State General Fund and the Alabama Special Educational Trust Fund for the fiscal year 1988-89 for the use of a sickle cell education program.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 333. To propose an amendment to the Constitution of Alabama of 1901, as amended, so that notwithstanding existing provisions thereof the governing body of the City of Huntsville in Madison County shall have the authority to make a one-time appropriation of money, up to a maximum total appropriation of \$2,000,000.00, to one or more bona fide nonprofit organizations, which at the time of such appropriation has been organized for the purpose of fostering and coordinating volunteer activity in the field of the literary, visual, or performing arts, which said appropriation is to be used exclusively for construction of one or more buildings located within said city and owned by such organization; to provide that the City of Huntsville shall also have the authority to provide up to \$100,000.00 annually for certain operational expenses and maintenance of buildings; to provide that the provisions of such amendment, if adopted, shall be self-executing; and to provide for referendum.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 308. Relating to Perry County; authorizing the county commission to levy a one percent (1%) sales and use tax, a three cent (\$.03) tobacco tax, and a two cent (\$.02) gasoline tax, providing for the distribution of said taxes and for penalties in violation of this act.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of

a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

FURTHER CONSIDERATION OF H. B. 47

The Senate proceeded to further consideration of the Bill, H. B. 47. The question was on the Corbett substitute for the Bishop substitute.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 7. Relating to Madison County, providing a certain county supplement to the salary of each supernumerary circuit clerk in the Twenty-third Judicial Circuit payable from the county treasury.

Also:

S. 62. To amend Section 14-1-14 of the Code of Alabama 1975, increasing the Corrections revolving fund to \$40,000.00.

Also:

S. 94. To amend section 36-21-9 of the Code of Alabama 1975, which provides for a card authorizing an honorably retired law enforcement officer to carry a handgun so as to change the issuance of the card from an annual to a permanent basis.

Also:

S. 145. To make an appropriation for the support and maintenance of Camp ASCCA, in Jackson Gap, Alabama for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

Also:

S. 150. To amend sections 16-33B-1, 16-33B-3 and 16-33B-4, Code of Alabama 1975, relating to the Alabama guaranteed student loan program, so as to define approved lender, student loan, Federal Student Loan Law and eligible institution; to provide program administration in accordance with the Federal Student Loan Law; to provide for basic powers and duties of the Alabama Commission on Higher Education in accordance with the Federal Student Loan Law; to promote the availability of the Alabama guaranteed student loan program; and to service loans.

Also:

S. 185. To make an appropriation from the Alabama Special Educational Trust Fund in the amount of \$400,000 to the Children's and Women's Hospital for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

BILL DRINKARD,
Chairperson.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing report from the Committee on Rules.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Joint Resolutions with the original Senate Joint Resolutions, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 61. RECOGNIZING THE EXEMPLARY PUBLIC SERVICE OF JOE W. DAVIS TO THE CITY OF HUNTSVILLE AND TO THE STATE OF ALABAMA.

Also:

S. J. R. 64. NAMING THE ALABAMA FORESTRY COMMISSION DISTRICT FOUR BUILDING THE ERNIE MOORE BUILDING.

Also:

S. J. R. 66. MOURNING THE DEATH OF WALKER BYRD SORRELL OF MONTGOMERY, ALABAMA.

Also:

S. J. R. 74. MOURNING THE DEATH OF BEULAH MAE DONALD OF MOBILE, ALABAMA.

BILL DRINKARD,
Chairperson.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolutions, the titles of which are set out in the foregoing report from the Committee on Rules.

FURTHER CONSIDERATION OF H. B. 47

The Senate proceeded to further consideration of the Bill, H. B. 47. The question was on the Corbett substitute for the Bishop substitute.

On motion of Senator Cabaniss, said Corbett substitute was laid on the table.

Yeas 18; Nays 16.

Yeas:

Sensors:	deGraffenried	Hale	Pruitt	
Barron	Dial	Hand	Rice	
Bedford	Dixon	Holmes	Smith (B)	
Bedsole	Drinkard	Manley	Smith (J)	
Cabaniss	Ellis	Mitchem		—18

Nays:

Sensors:	Campbell	Figures	Langford	
Amari	Corbett	Foshee	Menton	
Bailey	Covington	Goodwin	Parsons	
Bennett	Denton	Horn	Sanders	
Bishop				—16

And on motion of Senator Cabaniss, the Bishop substitute was laid on the table.

Yeas 18; Nays 16.

Yeas:

Sensors:	deGraffenried	Hale	Pruitt	
Barron	Dial	Hand	Rice	
Bedford	Dixon	Holmes	Smith (B)	
Bedsole	Drinkard	Manley	Smith (J)	
Cabaniss	Ellis	Mitchem		—18

Nays:

Sensors:	Campbell	Figures	Langford	
Amari	Corbett	Foshee	Menton	
Bailey	Covington	Goodwin	Parsons	
Bennett	Denton	Horn	Sanders	
Bishop				—16

Senator Corbett then offered the following substitute No. 2 for the Bill, H. B. 47, to-wit:

SUBSTITUTE NO. 2 FOR H. B. 47

**A BILL
TO BE ENTITLED
AN ACT**

To amend Sections 27-4-4 and 27-4-5, Code of Alabama 1975, so as to delete the provisions allowing insurance companies to deduct examination expenses from premium taxes and to increase domestic premium tax rates and to provide that the increased revenue will be deposited in the State General Fund.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 27-4-4, Code of Alabama, 1975 is hereby amended to read as follows:

Section 27-4-4.

“(a) Every foreign insurer, except foreign life insurers, shall pay to the commissioner a premium tax amounting to four percent of the premiums

received by such foreign insurer for business done in this state except as to wet marine and transportation insurance as defined in section 27-5-8, whether the same are actually received by said insurer in this state or elsewhere. Every foreign life insurer shall pay to the commissioner a premium tax amounting to one percent of annuity considerations and a premium tax of three two and nine tenths percent of any other premiums received by such foreign life insurer for business done in this state, whether the same are actually received by said insurer in this state or elsewhere. The rate of tax on premiums shall be subject to reduction as provided in this section. Beginning January 1, 1987, each foreign insurer shall pay its premium taxes on October 15, 1987, on an estimated basis of 50 percent of premiums received by such insurer in 1986 for business done in this state or, at the option of the insurer, based on its actual business done in this state from January 1 through June 30, 1987. On March 1, 1988, each foreign insurer shall remit with its premium tax return, the remainder of the premium taxes due on its actual business done in this state during the preceding calendar year, 1987. Beginning January 1, 1988, and all years thereafter, each foreign insurer shall pay its premium taxes on a quarterly basis as follows: the May 15 payment shall be estimated on 25 percent of its actual business done in this state during the preceding calendar year or, at the option of such insurer, based on its actual business done in this state from January 1 through March 31 of the same calendar year; the August 15 payment shall be estimated on 25 percent of its business done in this state during the preceding calendar year or, at the option of such insurer, based on its actual business done in this state from April 1 through June 30 of the same calendar year; the November 15 payment shall be estimated on 25 percent of its business done in this state during the preceding calendar year or, at the option of such insurer, based on its actual business done in this state from July 1 through September 30 of the same calendar year and the March 1 payment shall be in the amount of the remainder of the premium taxes due on its actual business done in this state during the preceding calendar year. Each authorized insurer shall file with the commissioner a statement, in form as furnished or approved by him, setting forth the total amount of premiums and annuity considerations received by it for business done in this state during the period covered by the tax payment, except as to wet marine and transportation insurance as defined in section 27-5-8. The statement shall be verified by the affidavit of an officer of the insurer having knowledge of the facts. It is the intent and meaning of this section that any taxes paid based on an estimated basis for the preceding calendar year shall be reconciled to actual premiums collected in this state for a calendar year on the March 1 payment date of the succeeding calendar year. Further, that the premium taxes on premiums collected during the first and second six-month periods of calendar year 1987, shall be paid in the manner specifically provided in this section.

The premium taxes collected in this section shall be deposited in the state treasury and credited in accordance with the following tabulation:

(1) To the credit of the state general fund, from which the legislature may appropriate funds for old age assistance purposes.

- a. One hundred percent of premium tax on foreign life insurers;
- b. Sixty-two and one-half percent of premium tax on all foreign property insurers; and
- c. Seventy-five percent of premium tax on all other foreign insurers; and

(2) To the credit of the Alabama special educational trust fund:

a. Thirty-seven and one-half percent of premium tax on foreign property insurers; and

b. Twenty-five percent of premium tax on all other foreign insurers.

~~(b) If the annual statement or other report required to be made by such foreign insurer to the Alabama department of insurance, whose premiums are taxed under this chapter, for the preceding calendar year shows such insurer to have invested at the close of said year in Alabama investments, as defined in this section, the requisite percentages of its total admitted assets, the rate of premium tax hereby levied on premiums shall be that shown in the following schedules:~~

Percentage of Insurer's Admitted Assets Invested in Alabama Investments	Applicable Rate of Premium Tax for Foreign-Life Insurers	Applicable Rate of Premium Tax for All Other Foreign Insurers
Less than 1%	3.0%	4.0%
1% and above but less than 2%	2.9%	3.9%
2% and above but less than 3%	2.8%	3.8%
3% and above but less than 4%	2.7%	3.7%
4% and above but less than 5%	2.6%	3.6%
5% and above but less than 6%	2.5%	3.5%
6% and above but less than 7%	2.4%	3.4%
7% and above but less than 8%	2.3%	3.3%
8% and above but less than 9%	2.2%	3.2%
9% and above but less than 10%	2.1%	3.1%
10% and above	2.0%	3.0%

~~(c) Alabama investments, as used in this section, shall mean any of the following investments:~~

~~(1) Real estate in this state;~~

~~(2) Bonds or interest bearing warrants or other evidences of indebtedness of the state of Alabama or of any county, city, town, school district, state educational institution, municipality or other subdivisions of the state, or of any duly authorized agency, board or authority of the state of Alabama or of any political subdivision thereof whether such agency, board or authority now exists or is hereafter created;~~

~~(3) Stocks, bonds or other evidences of indebtedness of any housing or redevelopment authority organized under the Housing Authorities Law or Redevelopment Law of the state of Alabama, as from time to time established and amended;~~

~~(4) Notes or bonds secured by mortgages or other liens on real estate or on leasehold interests in real estate in the state of Alabama;~~

~~(5) Stocks, bonds, debentures, notes or other evidences of indebtedness of any corporation organized under the laws of the state of Alabama;~~

~~(6) Notes, debentures or other evidences of any indebtedness of any business operated as a sole proprietorship, partnership or other legal entity having its principal office and place of business in the state of Alabama;~~

~~(7) Notes, bonds or other evidences of indebtedness secured by mortgage or other lien upon real estate situated in the state of Alabama and insured or guaranteed, in whole or in part, by the United States or any agency or instrumentality thereof, together with any bonds, debentures or other evidences of indebtedness of the United States or any agency or instrumentality thereof received and retained in whole or partial settlement of any such insurance or guaranty;~~

~~(8) Collateral loans to Alabama residents or to others where at least one half of the value of the collateral so pledged constitutes an Alabama investment as defined in this section;~~

~~(9) Cash deposits in regularly established national or state banks in this state on the basis of the average monthly deposits throughout the calendar year;~~

~~(10) Loans secured by policies on the lives of residents of the state of Alabama;~~

~~(11) Share or share accounts of building and loan associations organized under the laws of the state of Alabama or in the share or share accounts of federal savings and loan associations having their principal office in the state of Alabama;~~

~~(12) Stocks, bonds, notes, debentures or other evidences of indebtedness of any corporation organized under the laws of any other state of the United States, to the extent that the assets of such corporation located in the state of Alabama bear to the total assets of the corporation issuing such stocks, bonds, notes or other evidences of indebtedness;~~

~~(13) Stocks, bonds, notes or other evidences of indebtedness issued by railroad companies, public carriers or transportation companies, to the extent that its trackage or mileage in Alabama bears to the total trackage or mileage of such railroad, public carrier or other transportation company;~~

~~(14) That percentage of such insurer's investments in stocks, bonds, notes or other evidences of indebtedness of any telegraph, telephone, electric power company or other public utility to the extent that the revenue of any such company from Alabama bears to the total of such telegraph, telephone, electric power company or other public utility; and~~

~~(15) That percentage of the insurer's investments held as of December 31, in direct obligations of the United States of America as the total premiums received by the company for direct insurance of subjects located, resident or to be performed in Alabama relate to the total premiums received by the insurer.~~

~~(d) (b) Any such tax so determined shall be subject to credit and deduction of the full amount, with 25 percent of the full amount paid, or estimated to be paid, being credited or deducted on each quarterly payment date, for:~~

~~(1) All ad valorem taxes paid by the insurer for the tax year next preceding the filing of the return required by this section upon any real~~

estate and the improvements thereon in the state of Alabama owned and at least 50 percent occupied by the insurer for the full period of such tax year;

(2) All license fees and taxes paid to any county in this state during the year preceding the filing of the return required by this section for the privilege of engaging in the business of insurance within said county;

(3) All franchise taxes paid by the insurer under the provisions of sections 40-14-40 or 40-14-41 for the tax year preceding the filing of the return required by this section; and

~~(4) All expense of examination of the insurer by the commissioner.~~

(4) (4) All credits for assessments paid as provided under the provisions of sections 27-42-16 and 27-44-13.

(6) (5) It is the intent of this section that any estimated allowable deduction be reconciled to actual expenditures made during the calendar year next preceding the filing of the tax return and necessary adjustments reflected in the tax payment due March 1. Credit taken against taxes due for the six-month period ending June 30, 1987, and payable on October 15, 1987, will be in the amount of one-half of deductible expenses paid or estimated to be paid, and the remainder of any such expenses paid during calendar year 1987 will be reflected in the premium tax return due March 1, 1988."

Section 2. Section 27-4-5 of the Code of Alabama, 1975 is hereby amended to read as follows:

Section 27-4-5.

"(a) Every domestic life insurer shall pay to the commissioner a premium tax equal to ~~one~~ three percent of the premiums and one percent of annuity considerations received by such insurer for business done in this state during the preceding period, whether the same are actually received by said insurer in this state or elsewhere. Every other domestic insurer and every nonprofit corporation organized pursuant to the provisions of section 10-4-100 et seq. shall pay to the commissioner a premium tax equal to ~~one~~ two and nine tenths percent of the premiums received by such insurer for business done in this state during the preceding period, whether the same are actually received by said company in this state or elsewhere. Beginning January 1, 1987, each domestic insurer shall pay its premium taxes on October 15, 1987, on an estimated basis of 50 percent of premiums received by such insurer in 1986 for business done in this state or, at the option of such insurer, based on its actual business done in this state from January 1 through June 30, 1987. On March 1, 1988, each domestic insurer shall remit with its premium tax return, the remainder of the premium taxes due on actual business done in this state during the preceding calendar year, 1987. Beginning January 1, 1988, and all years thereafter, each domestic insurer shall pay its premium taxes on a quarterly basis as follows: the May 15 payment shall be estimated on 25 percent of its business done in this state during the preceding calendar year or, at the option of such insurer, based on its actual business done in this state from January 1 through March 31 of the same calendar year; the August 15 payment shall be estimated on 25 percent of its business done in this state during the preceding calendar year or, at the option of such insurer, based on its actual business done in this state from April 1 through June 30 of the same calendar year; the November 15 payment shall be estimated on 25 percent of its business done in this

state during the preceding calendar year or, at the option of such insurer, based on its actual business done in this state from July 1 through September 30 of the same calendar year and the March 1 payment shall be in the amount of the remainder of the actual premium taxes due on its business done in this state during the preceding calendar year. Every authorized insurer shall file with the commissioner a statement, in form as furnished or approved by him, setting forth the total amount of premiums and annuity considerations received by it for business done in this state during the period covered by the tax payment, except as to wet marine and transportation insurance as defined in section 27-5-8. The statement shall be verified by the affidavit of an officer of the insurer having knowledge of the facts. It is the intent and meaning of this section that any taxes paid based on an estimated basis for the preceding calendar year shall be reconciled to actual premiums collected in this state for a calendar year on the March 1 payment date of the succeeding calendar year. Further, that the premium taxes on premiums collected during the first and second six-month periods of calendar year 1987, shall be paid in the manner specifically provided in this section.

(b) Any such tax so determined shall be subject to credit and deduction of the full amount, with 25 percent of the full amount paid, or estimated to be paid, being credited or deducted on each quarterly payment date, for:

(1) All ad valorem taxes paid by the insurer for the tax year preceding the filing of the return required by this section upon any building and real estate in the state of Alabama owned and occupied, in whole or in part, by the insurer for the full period of such tax year as its principal office in the state of Alabama;

(2) All ad valorem taxes paid by the insurer for the tax year preceding the filing of the return required by this section upon all other real estate and improvements thereon in this state owned and at least 50 percent occupied by the insurer for the full period of such tax year;

(3) All license fees and taxes paid to any county in this state during the year preceding the filing of the return required by this section for the privilege of engaging in the business of insurance within said county;

~~(4) All expenses of examination of the insurer by the commissioner;~~

~~(5)~~ (4) All license or privilege taxes on lists of securities paid by the insurer under the provisions of section 40-24-8 during the tax year preceding the filing of the return required by this section; and

~~(6)~~ (5) All franchise taxes paid by the insurer under the provisions of section 40-14-40 for the tax year preceding the filing of the return required by this section.

~~(7)~~ (6) It is the intent of this section that any estimated allowable deductions be reconciled to actual expenditures made during the calendar year next preceding the filing of the tax return and necessary adjustments reflected in the tax payment due March 1. Credit taken against taxes due for the six-month period ending June 30, 1987, and payable on October 15, 1987, will be in the amount of one-half of deductible expenses paid or estimated to be paid, and the remainder of any such expenses paid during calendar year 1987 will be reflected in the premium tax return due March 1, 1988.

(c) The premium taxes collected under this section shall be deposited in the state treasury and credited as follows:

(1) To the credit of the state general fund:

- a. ~~Fifty percent~~ 83.34 percent of premium tax on domestic life insurers;
- b. ~~No part~~ 75 percent of premium tax on nonprofit corporations organized pursuant to the provisions of section 10-4-100 et seq.; and
- c. ~~Twenty-five~~ 81.25 percent of premium tax on all other domestic insurers; and

(2) To the credit of the Alabama Special Educational Trust fund:

- a. ~~Fifty percent~~ 16.66 percent of premium tax on domestic life insurers;
- b. ~~One hundred~~ 25 percent of premium tax on nonprofit corporations organized pursuant to the provisions of section 10-4-100 et. seq.; and
- c. ~~Seventy-five~~ 18.75 percent of premium tax on all other domestic insurers.

(d) Every domestic insurer, anything in this chapter to the contrary notwithstanding, shall be exempt from and not required to pay any premium tax for or on account of any premiums or annuity considerations for hospital, medical, surgical or other health care benefits supplementary to Medicare and Medicaid received by it for or on account of business done in this state, whether the same are actually received in this state or elsewhere."

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 5. This Act shall become effective on October 1, 1988.

MESSAGE FROM THE HOUSE

Mr. President Pro Tem:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 137. To provide for the method of filing applications for allocations of a portion of the "State Ceiling" applicable to tax-exempt bonds; to establish expiration and reversion dates for allocation of "State Ceiling" and conditions subsequent to such allocations; to allocate the entire "State Ceiling" to the State, subject to redistribution by the State Industrial Development Authority; to reserve certain portions of the "State Ceiling" for the use and benefit of Alabama Housing Finance Authority and Alabama Higher Education Loan Corporation; to provide for the allocation of portions of the "State Ceiling" to issuers of small issue bonds for manufacturing facilities and for exempt facility bonds and for the allocation of a portion of the "State Ceiling" at the discretion of the State Industrial Development Authority; to provide a procedure for carryforward allocations; to establish an effective date; to authorize the State Industrial Development Authority to adopt rules and regulations governing the making of allocations; to designate the president of the State Industrial Development Authority as the State official authorized

to make certain certifications required under the Internal Revenue Code of 1986, as amended; and to impose a duty of fairness and impartiality in the administration of the allocation program.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President Pro Tem:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 147. CONGRATULATING CHRISTY LYNN McMICHAEL OF PRATTVILLE, ALABAMA, FOR OUTSTANDING ACHIEVEMENT.

Also:

H. J. R. 148. MOURNING THE DEATH OF WILLIAM HOLLIE MONCRIEF OF PRATTVILLE, ALABAMA.

Also:

H. J. R. 149. COMMENDING SHELBY COUNTY'S ELVIN HILL ELEMENTARY SCHOOL.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Joint Resolution with the original Senate Joint Resolution, and finds same correctly enrolled, to-wit:

S. J. R. 62. COMMENDING JOHN L. VARNADO FOR OUTSTANDING COMMUNITY, CIVIC AND FRATERNAL INVOLVEMENT.

BILL DRINKARD,
Chairperson.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolution, the title of which is set out in the foregoing report from the Committee on Rules.

FURTHER CONSIDERATION OF H. B. 47

The Senate proceeded to further consideration of the Bill, H. B. 47. The question was on the Corbett substitute No. 2.

REPORT OF SECRETARY

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Bills and Senate Joint Resolutions delivered to the Governor, with the date and hour of delivery, to-wit:

S. B. 100

S. B. 171

Delivered to the Governor September 20, 1988, at 2:25 P.M.

S. B. 7

S. B. 150

S. J. R. 64

S. B. 62

S. B. 185

S. J. R. 66

S. B. 94

S. J. R. 61

S. J. R. 74

S. B. 145

S. J. R. 62

Delivered to the Governor September 20, 1988, at 8:55 P.M.

McDOWELL LEE,
Secretary of Senate.

SECRETARY'S REPORT

The foregoing report of the Secretary was read and ordered spread upon the Journal.

ADJOURNMENT

At 8:45 P.M., on motion of Senator Cabaniss, pending further consideration of the Bill, H. B. 47, the Senate adjourned until Thursday, September 22, 1988, at 9:30 A.M.

TWELFTH LEGISLATIVE DAY
THURSDAY, SEPTEMBER 22, 1988

The Senate met pursuant to adjournment, Lieutenant Governor Folsom presiding.

PRAYER

The Session was opened with prayer by the Reverend David Warren, Associate Pastor, Aldersgate United Methodist Church, Montgomery, Alabama.

PLEDGE OF ALLEGIANCE

The Senators were led in the Pledge of Allegiance to the Flag of the United States of America by Tonya Vaughn, Sidney Lanier High School, Montgomery, Alabama.

ROLL CALL

Present:

Senators:	Campbell	Figures	Manley
Amari	Corbett	Foshee	Menton
Bailey	Covington	Goodwin	Mitchem
Barron	deGraffenried	Hale	Parsons
Bedford	Denton	Hand	Preuitt
Bedsole	Dial	Hilliard	Rice
Bennett	Dixon	Holmes	Sanders
Bishop	Drinkard	Horn	Smith (B)
Cabaniss	Ellis	Langford	Smith (J)

—35

JOURNAL

On motion of Senator deGraffenried, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate Bill and returns same herewith to the Senate.

S. 201. To amend Act 88-475, as amended, 1988 Regular Session, which act creates the Alabama Mental Health Finance Authority and provides for mental health projects of the Authority, and financing of such projects; so as to authorize the Authority to enter into any necessary financial instruments or obligations with the Retirement Systems of Alabama in order to secure financing for the funding of projects of the Authority; to provide that such financing shall be payable solely from the taxes appropriated and pledged in Section 16 of Act 88-475, as amended; and to amend Section 16 of Act 88-475, as amended, so as to appropriate and pledge as additional security for bonds authorized pursuant to Act 88-475, as amended, all or a portion of the proceeds of the tax levied in House Bill 351 as approved by the Alabama Legislature in the First Special Session, 1988.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator deGraffenried, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 201, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE AMENDMENT TO S. B. 201

Amend S. B. 201 on Page 1, Line 24, by deleting the number "351" and inserting in lieu thereof the number "319".

Further amend S. B. 201 on Page 6, Line 11, by deleting the number "351" and inserting in lieu thereof the number "319".

Further amend S. B. 201 on Page 6, Line 14, by deleting the number "351" and inserting in lieu thereof the number "319".

Yeas 25; Nays 0.

Yeas:

Senators:	Campbell	Figures	Langford	
Amari	Corbett	Foshee	Manley	
Bailey	Covington	Goodwin	Menton	
Bedford	deGraffenried	Hale	Preuitt	
Bedsole	Denton	Hand	Rice	
Bennett	Dixon	Horn	Smith (J)	
Cabaniss	Ellis			—25

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 71. To make an appropriation from the State General Fund and the Alabama Special Educational Trust Fund for the fiscal year 1988-89 for the use of a sickle cell education program.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 98. To amend Section 5-19-4, Code of Alabama 1975, relating to consumer finance, so as to require actuarial method of computation on consumer loans and consumer credit sales with an original term of more than 61 months and to clarify method of refund in all other cases.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate Bill and returns same herewith to the Senate.

S. 132. To establish the "Alabama Hazardous Substance Cleanup Fund"; to provide that such fund shall be used for the cleanup and restoration of abandoned or inactive sites at which improper treatment, storage or disposal of hazardous substances has occurred; to plan and undertake the rehabilitation, removal and cleanup of hazardous substances deposited improperly at sites located within Alabama; to provide that this fund shall be used for sites not qualified for or unlikely to receive funding for cleanup from funds designated for cleanups under the federal Comprehensive Environmental Response, Compensation and Liability Act of 1980 (42 U.S.C. §9601 et seq.) and to provide state matching funds for cleanups under the federal Comprehensive Environmental Response, Compensation and Liability Act of 1980; to provide for penalties and recovery of cleanup costs; to provide that the fund shall be administered by the Alabama Department of Environmental Management; and to direct the Alabama Department of Environmental Management to secure other funds whenever possible.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Bennett, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 132, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE AMENDMENT TO S. B. 132

**A BILL
TO BE ENTITLED
AN ACT**

To establish the "Alabama Hazardous Substance Cleanup Fund"; to provide that such fund shall be used for the cleanup and restoration of abandoned or inactive sites at which improper treatment, storage or disposal of hazardous substances has occurred; to plan and undertake the rehabilitation, removal and cleanup of hazardous substances deposited improperly at sites located within Alabama; to provide that this fund shall be used for sites not qualified for or unlikely to receive funding for cleanup from funds designated for cleanups under the federal Comprehensive Environmental Response, Compensation and Liability Act of 1980 (42 U.S.C. § 9601 et seq.) and to provide state matching funds for cleanups under the federal Comprehensive Environmental Response, Compensation and Liability Act of 1980; to provide for penalties and recovery of cleanup costs; to provide that the fund shall be administered by the Alabama Department of Environmental Management; and to direct the Alabama Department of Environmental Management to secure other funds whenever possible.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

SECTION 1. The Legislature finds that hazardous substances have been treated, stored or disposed of at sites which are inactive or abandoned and that such sites have the potential for deleterious impacts on groundwater,

human health or the environment. The Legislature, therefore, declares that it is in the public interest to assure that such sites are identified and that action is taken to provide for the cleanup and rehabilitation of such sites within the state of Alabama. The Legislature intends that funds provided under this Act be used primarily to clean up and rehabilitate sites not qualified for or unlikely to receive funding under the federal Comprehensive Environmental Response, Compensation and Liability Act of 1980 (42 U.S.C. § 9601 et seq.) but that the funds provided under this Act may also be used to provide state matching funds for cleanups and for operation and maintenance of sites which have completed cleanup under the federal Comprehensive Environmental Response, Compensation and Liability Act of 1980.

SECTION 2. When used in this Act and except where the context prohibits, the following words and terms shall have the following meanings:

(1) **CLEANUP.** All activities including administrative activities related to the identification, investigation and evaluation of hazardous substance sites and the removal of hazardous substances or other closure or containment of hazardous substances and any subsequent monitoring of such sites.

(2) **COMMISSION.** The Alabama Environmental Management Commission as created by Section 22-22A-6, Code of Alabama 1975.

(3) **DEPARTMENT.** The Alabama Department of Environmental Management as created by Section 22-22A-4, Code of Alabama 1975.

(4) **DIRECTOR.** The director of the Alabama Department of Environmental Management.

(5) **FUND.** The Alabama Hazardous Substance Cleanup Fund.

(6) **HAZARDOUS SUBSTANCE.** Any substance defined as a hazardous substance pursuant to 42 U.S.C. § 9601(14) or listed as a hazardous waste pursuant to the Hazardous Wastes Management Act, Code of Alabama 1975 Sections 22-30-1 et seq. and the regulations promulgated thereunder.

(7) **HAZARDOUS SUBSTANCE SITE.** Any unpermitted site or location where a hazardous substance has been released or where there is the potential for a release due to the treatment, storage or disposal of a hazardous substance.

(8) **INACTIVE OR ABANDONED HAZARDOUS SUBSTANCE SITE.** Any hazardous substance site which does not receive any hazardous substance for treatment, storage or disposal after the effective date of this Act, or which ceases receiving any hazardous substance for treatment, storage or disposal after the effective date of this Act.

(9) **LIABLE PARTY.** Any person who:

a. Is an operator or former operator of an inactive or abandoned hazardous substance site;

b. Generated a waste treated, stored or disposed of at a hazardous substance site which has become inactive or abandoned;

c. Transported waste for treatment, storage or disposal to a hazardous substance site which has become inactive or abandoned, but only if the site was selected by the transporter; or

d. Directed the hazardous substance for treatment, storage or disposal to the inactive or abandoned hazardous substance site.

(10) OPERATOR. A person who has treated, stored or disposed of or permitted a third person to treat, store or dispose of a hazardous substance at a site which has become an inactive or abandoned hazardous substance site, or a person who obtained ownership of a site either knowing or with reason to know it was an abandoned or inactive hazardous substance site. Such term does not include a person, who, without participating in the management of a site which has become an inactive or abandoned hazardous substance site, holds indicia of ownership primarily to protect a security interest in the site.

(11) RELEASE. Any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment of a hazardous substance.

(12) All other terms used in this Act shall be defined as such terms are defined in the Hazardous Wastes Management Act, Code of Alabama 1975, Section 22-30-1 et seq. as amended, and the regulations promulgated thereunder.

SECTION 3. (a) There is hereby established within the state treasury a special revenue fund to be known as the Alabama Hazardous Substance Cleanup fund. All federal grants, state appropriations, penalties, reimbursements and any other funds collected pursuant to this Act are hereby appropriated for the purposes provided for in this Act and shall be deposited into said fund. Any funds remaining in the Alabama Hazardous Substance Cleanup Fund at the end of any fiscal year shall not revert to the general fund but shall remain in said fund and is hereby reappropriated until expended in accordance with the provisions of this Act.

(b) There is hereby appropriated from the State General Fund for the fiscal year ending September 30, 1989, the amount of \$100,000.00 for the start-up and administrative costs necessary to implement this Act and for inactive or abandoned hazardous substance site cleanup costs.

(c) In addition to the appropriations heretofore made, there is hereby conditionally appropriated from the State General Fund for the fiscal year ending September 30, 1989, the sum of \$500,000 to be used solely for the purpose of cleanup operations of abandoned or inactive hazardous substance sites, reimbursement to the fund for monies expended by the department for cleanup of such sites, and as matching funds to allow cleanups and operation and maintenance of sites which have completed cleanup under the federal Comprehensive Environmental Response, Compensation and Liability Act of 1980 (42 U.S.C. § 9601 et seq.), such funds to be released to the fund on a project-by-project basis, conditioned upon the availability of funds in the State General Fund, the recommendations of the Finance Director, and the approval by the Governor.

SECTION 4. (a) In relation or addition to the powers set forth in this section and any other provisions of laws of this state, the department is empowered, with regard to the regulation, control, or removal of hazardous substances as follows:

(1) To respond to, direct, or initiate cleanup of inactive or abandoned hazardous substance sites;

(2) To conduct or contract for professional technical data gathering and analysis and damage assessment;

(3) To conduct or contract for the removal or containment of hazardous substances where there has been or is a potential for release, regardless of quantity or concentration; and

(4) Acting through the provisions of Code of Alabama 1975, Sections 22-22A-5, and 22-22A-8 issue such rules and regulations as are necessary to carry out the provisions of this Act.

(b) The fund shall be available to the department for expenditures for the purpose of providing for the identification, investigation, and for the containment and cleanup, including monitoring and maintenance of inactive or abandoned hazardous substance sites within the state as provided in this Act, and as follows:

(1) monies from the fund may be used only for cleanup of inactive or abandoned hazardous substance sites which at the time cleanup activities commence do not appear on the most current national priorities list (NPL) of the United States Environmental Protection Agency as developed under the Comprehensive Environmental Response, Compensation and Liability Act of 1980 ('CERCLA') 42 U.S.C. §§ 9601 et seq. unless,

(2) the monies are intended to provide the State's share of matching funds for cleanup of a CERCLA site on the NPL.

(c) The department may enter into such contracts and use the fund for those purposes directly associated with identification, investigation, containment and cleanup, including monitoring and maintenance, prescribed above including:

(1) hiring of consultants and personnel;

(2) purchasing, leasing or renting of necessary equipment; and/or

(3) paying other necessary expenses.

(d) The fund shall not be used for hiring personnel for continuing programs of the department not directly related to the purpose of this Act or for on-going research activities not directly related to the purpose of this Act.

SECTION 5. (a) The director shall identify inactive or abandoned hazardous substance sites, as defined herein, within the State of Alabama. Once identified the director shall refer to the most current national priorities list ("NPL") of the United States Environmental Protection Agency under the Comprehensive Environmental Response, Compensation and Liability Act of 1980, ("CERCLA") 42 U.S.C. §§ 9601 et seq. Any Alabama site identified by the director that also appears on the NPL shall not be subject to this act, except for the matching funds provision of Section 3(c) of this act.

(b) For all sites so identified by the director, not appearing on the NPL, the director shall attempt to identify all potentially liable parties. If the potentially liable parties can be identified within a reasonable time, the director may:

(1) Order the potentially liable party or parties to develop a Hazardous Substance Cleanup Plan detailing how the liable party or parties will investigate, identify, contain and clean up the site, including post-cleanup monitoring and maintenance of the site; and

(2) Order the potentially liable parties to implement the plan, subject to approval by the department, within a reasonable time as specified in the order; and

(3) Provide a 30-day public comment period on the plan in the county where the site is located, provided that such public comment period may be waived if the director finds that such delay would significantly increase the threat to human health or the environment. Notice of the public comment period shall be given by a one-time publication in a newspaper of general circulation in the county where the site is located and to the governing body of the county or municipality where the inactive or abandoned hazardous substance site is located.

(c) No order may be issued under this section until a potentially liable party is provided notice and an opportunity for an informal hearing before the department. Provided, however, that whenever the director, after investigation, finds that the threat to human health or the environment is imminent, the director may issue the order without a hearing. In the event the director makes such a determination, the facts supporting this conclusion shall be set forth in the Order in detail.

(d) Whenever any liable party fails to comply with an order to develop a Hazardous Substance Cleanup Plan for a site, the department may develop such a plan. The reasonable expenses of developing the plan by the department shall be paid from the fund if available and reimbursed by the liable party. This reimbursement of expenses is in addition to any penalties assessed under Section 5(i) of this Act.

(e) Whenever the liable party fails to comply with an order to implement a Hazardous Substance Cleanup Plan for a site, the department may implement such a plan. The provisions of Section 5(a)(3) of this Act regarding public comment shall apply to the department's plan. The reasonable expenses of implementing the plan by the department shall be paid from the fund if available and reimbursed by the liable party. This reimbursement of expenses is in addition to any penalties assessed for failure to comply with the order.

(f) In the event that no liable party can be identified, or if the liable party cannot be identified within a reasonable time, or if the director determines there is an imminent threat to human health or the environment, and sufficient monies are available in the fund, the department may develop and implement a Hazardous Substance Cleanup Plan. The provisions of Section 5(a)(3) of this Act regarding public comment shall apply to the department's plan. The reasonable expenses of developing and implementing such plan shall be paid from the fund if available and reimbursed by the liable party when and if identified. This reimbursement of expenses is in addition to any penalties assessed under this Act.

(g) Orders issued under this section may be appealed as provided in Section 22-22A-7(c), Code of Alabama 1975.

(h) The department is authorized to recover expenses as set out in this section by administrative order or by civil action in the circuit court of the county where the site is located or where the liable party resides or does business.

(i) No administrative or civil penalties shall be assessed against a liable party until and unless the liable party fails to comply with provisions of an order issued by the department pursuant to this Act. In the event, the department may seek, in addition to the recovery of expenses, administrative or civil penalties as provided for in Section 22-22A-5 Code of Alabama 1975, however, nothing herein shall prevent the imposition of administrative or civil penalties for the violation of any other relevant statute or regulation.

SECTION 6. (a) In determining the scope, nature and content of a Hazardous Substance Cleanup Plan the director shall evaluate reasonable alternatives and select or approve those actions which he determines are necessary to protect human health and the environment. The goal of any pertinent action shall be cleanup and containment of the site through the elimination of the threat to the human health and the environment posed by the hazardous substance. In choosing the necessary action at each site, the director shall consider the following factors:

(1) The technological feasibility of each alternative;

(2) The cost estimate of each alternative;

(3) The quantity of hazardous substances present their toxicity and mobility and the risk of harm to the environment. This factor shall not require the director to make a detailed analytical and scientific study of the site prior to choosing or approving the selected alternative, however, the director shall make a good faith effort to generally determine this information to aid his choice of alternative actions.

(4) The capability of the selected alternative to protect human health and the environment.

SECTION 7. (a) The director shall, on or before January 1, 1989, and annually thereafter on January first of each succeeding year, transmit an updated Annual Report to the commission, the legislature, and the governor. Each Annual Report shall include, but need not be limited to, the following information for each site:

(1) A general description of the site, including the name and address of the site, the type and quantity of the hazardous substance disposed of at the site if known, and the name of the current owners of the site and any known potentially liable parties;

(2) A summary of any significant environmental problems at and near the site; the site's proximity to public or private drinking water supplies, or other water supplies;

(3) The clear identification of the site on a map;

(4) The status of any testing, monitoring or remedial actions in progress or recommended by the director;

(5) The status of any pending legal and administrative actions and any federal, state or local government permits concerning the site;

(6) The proximity of the site to private residences, public buildings or property, school facilities, places of work or other areas where individuals may be regularly present;

(7) All costs incurred pursuant to the implementation of this Act by the department or any other party; and

(8) Estimated future costs to be incurred pursuant to the implementation of this Act by the department or any other party.

(b) The director shall also transmit a copy of the annual report to each potentially liable party identified in the annual report.

SECTION 8. (a) Liable parties shall be liable to the state for amounts expended for the investigation, identification, containment and cleanup of

hazardous substance sites, including the cost of post-cleanup monitoring and maintenance of such sites.

(b) The department or the attorney general shall act to recover for the fund the reasonable and necessary amounts expended for the investigation, identification, containment, cleanup, monitoring and maintenance of inactive or abandoned hazardous substance sites to the extent the department or the attorney general can attribute these expenditures to liable parties as set out herein. Recovery of these expenditures by the department or the attorney general can be either by administrative order or by commencing a civil action in the county where the site is located or where the liable party resides or does business.

(c) The liability of liable parties is not joint and several. Liable parties shall be liable to reimburse the fund only for the costs of investigation, identification, containment and cleanup of hazardous substance sites, including the cost of monitoring and maintenance generally attributable to that party's proportional contribution to the hazardous substance present at the site. In determining proportional contributions among liable parties the following factors shall be taken into consideration:

(1) total volume of waste at the site;

(2) the percentage of the total volume of waste attributable to the liable party;

(3) good faith efforts of the liable party to ensure proper treatment, storage or disposal;

(4) any expenditures required by this Act made by a liable party shall be credited toward its liability.

(d) In no event shall the total liability from any liable party be an amount less than the total cost for the investigation, identification, containment and cleanup of hazardous substances attributable to that liable party except that the total recovery from the liable party shall not exceed the amount expended from the fund plus reasonable costs to the department to obtain recovery from the liable party.

(e) In no event shall the calculation of a liable party's proportional contribution be increased or in any way influenced by the failure of the director to identify other liable parties or by the failure of other liable parties to pay their proportional contribution.

(f) There shall be no liability under this Act for a liable party who can establish by a preponderance of the evidence that the release or imminent threat of release and the environmental damages resulting therefrom were caused by an act or omission of a third party other than an employee or agent of the liable party.

(g) If the department is unable to calculate proportional contributions among liable parties because of insufficient evidence the department shall commence a declaratory judgment civil action in circuit court in the county where the site is located or where the liable party resides or does business seeking a declaration of apportionment. The court shall take into consideration the factors previously listed.

(h) Any expenses not attributable to a liable party shall be paid from the fund.

(i) All expenditures recovered from liable parties shall be deposited in the fund.

(j) A liable party may elect to satisfy its liability by applying any proceeds from liability insurance or other financial assurance mechanisms which have been provided by the liable party or parties.

SECTION 9. No action may be commenced against the director, any employee of the department, or any person under contract with the department for damages as a result of actions taken or omitted in the course of performing duties or functions under this act or in the course of rendering care, assistance, or advice at the direction of an on-scene coordinator appointed by the director, with respect to the cleanup of an abandoned or inactive hazardous substance site including any release of a hazardous substance or the threat thereof.

SECTION 10. The director or his designee shall have the right at reasonable times to enter upon any property upon which a known or suspected inactive or abandoned hazardous substance site is located and any other property which must be entered to have access to the site or to perform or cause to be performed all actions necessary to carry out the provisions of this Act. Entry shall be construed as an exercise of the police power and shall not be construed as an act or condemnation of property or of trespass.

SECTION 11. (a) It shall be a violation of the provisions of this Act for any liable party to:

(1) violate any provision of or time period set forth in any administrative order issued by the director;

(2) destroy or conceal any records relating to hazardous substances or abandoned or inactive sites, except where a liable party can demonstrate that any destruction of record was done in the ordinary course of its business;

(3) violate any settlement or consent agreement entered into pursuant to or in anticipation of an administrative order issued by the director, or pursuant to or in anticipation of any civil action initiated under the provisions of this Act.

(b) Civil penalties as provided for in this act may be assessed either by administrative order or civil action.

SECTION 12. The provisions of this Act are severable. If any part of this Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

SECTION 13. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming law.

Also:

Amend Substitute to S. 132, on Page 3, Section 2, Subsection 8, Line 19, after the word "site" by inserting the following:

"except one which has been permitted by the Department of the Environmental Protection Agency as a commercial hazardous waste or substance disposal facility and closed through appropriate closure procedures."

Further amend on Page 12, Lines 8 and 9, by deleting the word "waste" and inserting in lieu thereof the words: hazardous substance

Yeas 26; Nays 0.

Yeas:

Senators:	Campbell	Figures	Langford
Amari	Covington	Foshee	Manley
Bailey	deGraffenried	Goodwin	Menton
Bedford	Denton	Hale	Mitchem
Bedsole	Dial	Hand	Preuitt
Bennett	Dixon	Holmes	Smith (J)
Cabaniss	Ellis	Horn	

—26

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 319. To amend Section 28-3-203, Code of Alabama 1975, by increasing the tax levied upon the selling price of all spirituous or vinous liquors sold by the Alabama Alcoholic Beverage Control Board from 5% to 13%, and to pledge and appropriate a portion of the receipts collected under this Act to provide for payment of the principal on, premium, if any, and interest on, all bonds issued by the Alabama Mental Health Finance Authority, as authorized by Act 88-475, to the extent necessary for such purpose; to provide for the distribution of the remaining proceeds of such revenues.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate Bill and returns same herewith to the Senate.

S. 24. To create and provide for the incorporation, organization and operation of the Alabama water system assistance authority; to prescribe the powers and functions of the said authority as a public corporation; to authorize the authority to make loans or grants to public water systems and to issue bonds; to establish a special "water supply assistance fund"; to provide for a legislative oversight committee to monitor such authority; to provide that the revenues accruing to the Alabama water system assistance authority from bonds issued by such authority shall be deposited in a certain fund to be operated by the state treasury; and to provide for state assistance to and cooperation with community water systems in financing projects that would focus on locating, developing and sustaining adequate potable water supplies for the citizens of this state.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Covington, the Senate non-concurred in the following House amendment to the Bill, S. B. 24, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE AMENDMENT TO S. B. 24**A BILL
TO BE ENTITLED
AN ACT**

To create and provide for the incorporation, organization and operation of the Alabama water system assistance authority; to prescribe the powers and functions of the said authority as a public corporation; to authorize the authority to make loans or grants to public water systems and to issue bonds; to establish a special "water supply assistance fund"; to provide for a legislative oversight committee to monitor such authority; to provide that the revenues accruing to the Alabama water system assistance authority from bonds issued by such authority shall be deposited in a certain fund to be operated by the state treasury; and to provide for state assistance to and cooperation with community water systems in financing projects that would focus on locating, developing and sustaining adequate potable water supplies for the citizens of this state.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The following words and phrases, whenever used in this act, shall have the following respective meanings unless the context clearly indicates otherwise:

(1) **AUTHORITY.** The corporation organized pursuant to the provisions of this act as a public corporation, agency and instrumentality of the state and known as the "Alabama water system assistance authority."

(2) **AUTHORIZING RESOLUTION.** A resolution or order adopted by the board of directors of the authority authorizing the issuance of bonds by the authority pursuant to this act.

(3) **BOARD OF DIRECTORS.** The board of directors of the Alabama water system assistance authority.

(4) **BONDS.** The "water system assistance bonds," notes or obligations or other evidences of indebtedness issued by the authority under the provisions of this act.

(5) **BOND PROCEEDS.** The direct proceeds of sale of bonds or notes, and the income derived from the investment of such proceeds.

(6) **COMMUNITY WATER SYSTEM.** A public water system as defined in Section 22-23-31(12) of the Code of Alabama 1975.

(7) **DEPARTMENT.** The department of economic and community affairs or any successor.

(8) **PROJECT(S).** Research and development, site purchase and preparation, initial construction, expansion or renovation of water supply facilities.

Section 2. It is the intent of the legislature acting by and through the authority and the department to aid, assist and coordinate existing community water systems in locating, developing and sustaining adequate potable water

supplies for the citizens of this state and to this end to authorize the incorporation of a state authority with power and authority to issue water system assistance bonds, as may be necessary, from time to time, to finance community water system projects.

Section 3. The governor, the director of the department of economic and community affairs, the director of finance, one member of the House of Representatives appointed by the Speaker, and one member of the Senate appointed by the Lieutenant Governor may become a public corporation to be known as the Alabama water system assistance authority with the power and authority hereinafter provided, by proceeding according to the provisions of this act. Provided, however, that actions taken by such authority shall be monitored, from time to time, by a special "Water assistance legislative oversight committee" composed of three members of the House of Representatives appointed by the Speaker of the House and three senators appointed by the Lieutenant Governor. Members of the legislature serving on this oversight committee shall be entitled to their regular legislative per diem and travel expenses on such committee's meeting days. The Lieutenant Governor shall appoint a chairperson for such committee and the Speaker of the House shall appoint the vice-chairperson. Such committee shall meet, from time to time, on request of either the chairperson or the authority. The Lieutenant Governor and the Speaker of the House shall make the appointments to the authority and the Water assistance legislative oversight committee within fifteen days of the effective date of this act.

Section 4. There is hereby established a special fund within the state treasury to be known as the "water supply assistance fund." Proceeds from the sale of bonds issued by the authority shall be deposited in this special "water supply assistance fund." Money in such fund shall be expended in accordance with adopted regulations and policies of the authority and may be used to provide a loan or loans for community water system supply projects or to refinance debt of community water systems or to secure principal and interest on bonds issued by the authority. Money not currently needed for the operation of the water supply assistance fund may be invested, from time to time, by the board and all interest earned on such investments shall be credited to the water supply assistance fund.

Section 5. (a) To become a corporation, the governor, the director of the department, the director of finance, and the two legislators appointed to the authority in Section 3 of this Act shall present to the secretary of state of Alabama an application signed by them which shall set forth:

(1) The name, official designation and official residence of each of the applicants, together with a certified copy of the commission evidencing each applicant's right to office;

(2) The date on which each applicant was inducted into office and the term of office of each of the applicants;

(3) The name of the proposed corporation, which shall be the "Alabama water system assistance authority";

(4) The location of the principal office of the proposed corporation; and

(5) Any other matter relating to the incorporation which the applicants may choose to insert and which is not inconsistent with this act or any other laws of the state. The application shall be subscribed and sworn to by each of the applicants before an officer authorized by the laws of this state to take acknowledgments to deeds. The secretary of state shall examine

the application; and if he finds that it substantially complies with the requirements of this section, he shall receive and file it and record it in an appropriate book of records in his office.

When the application has been made, filed and recorded as herein provided, the applicants shall constitute a corporation under the name proposed in the application, and the secretary of state shall make and issue to the applicants a certificate of incorporation pursuant to this act, under the great seal of the state, and shall record the certificate with the application. There shall be no fees paid to the secretary of state for any work done in connection with the incorporation or dissolution of the authority.

(b) The applicants named in the application and their respective successors in office shall constitute the members of the authority. The governor shall be the president of the authority, the director of the department shall be the vice-president thereof, and the director of finance shall be the secretary thereof. The members of the authority shall constitute all the members of the board of directors of the authority, and any three members of the said board of directors shall constitute a quorum for the transaction of business. Should any person holding any state office named in this section cease to hold such office by reasons of death, resignation, expiration of his term of office or for any other reasons, then his successor in office shall take his place as a member, officer or director of the authority. No member, officer or director of the authority shall draw any salary, in addition to that now authorized by law, for any service he may render or for any duty he may perform in connection with the authority.

(c) All proceedings had and done by the board of directors shall be reduced to writing by the secretary of the authority, shall be signed by at least three members of the authority and shall be recorded in a substantially bound book and filed in the office of the secretary. Copies of such proceedings, when certified by the secretary of the authority, under the seal of the authority, shall be received in all courts as prima facie evidence of the matters and things therein certified.

Section 6. (a) The authority shall have the following powers, among others specified by this act:

(1) To have succession in its corporate name until the principal of and interest on all bonds issued by it shall have been fully paid;

(2) To sue and be sued and to prosecute and defend, at law and in equity, in any court having jurisdiction of the subject matter and of the parties thereto;

(3) To have and to use a corporate seal and to alter such seal at pleasure;

(4) To establish a fiscal year;

(5) To construct and operate or lease to or from any community water system;

(6) To execute agreements effectively obligating the authority to agree to pay and to pay such portion of the estimated reasonable cost of the project of each community water system as may be required to meet the water supply goals of the state;

(7) To issue bonds or other obligations provided such proceeds are deposited in a special "water supply assistance fund" within the state treasury;

(8) To enter into such agreements in connection with the sale of its bonds as the board shall determine, including arrangements for letters of credit, bond insurance or other credit enhancement devices, provided that no such arrangement shall obligate funds of the authority other than as provided in this act;

(9) To appoint and employ such attorneys, financial advisors, agents and employees as the business of the authority may require; and

(10) To promulgate and establish guidelines and procedures relating to loans or grants by the authority including but not necessarily limited to limits on the amounts of such loans or grants and eligibility requirements for such loans or grants.

(b) The authority shall use accounting, audit, and fiscal procedures conforming to generally accepted government accounting standards.

(c) The governor shall deliver an annual report of the authority to the legislature.

Section 7. For the purpose of providing funds for the authority to make loans to community water systems for a project or projects, or to refinance debt of community water systems or for the payment of obligations incurred or temporary loans made for any of said purposes, the authority is hereby authorized, from time to time, to issue and sell its bonds or other evidences of indebtedness. Such bonds may be issued in one or more series; shall be in such form and denominations and of such terms and maturities, not exceeding 35 years from the date of issue of each series; shall bear such rate or rates of interest, payable and evidenced in such manner; may contain such provisions for registration or for redemption prior to maturity; and may contain such other provisions not inconsistent herewith, all as may be provided by the authorizing resolution. As security for the payment of the principal of and interest on its bonds, the authority is authorized to pledge, transfer and assign any obligations of each community water system, payable to the authority and the security for such obligation.

Section 8. The bonds and other evidences of indebtedness of the authority may be sold at such time or times as the board of directors may deem advantageous. The bonds shall be sold by competitive sale unless because of market conditions and/or credit structures such a sale would be disadvantageous to the state. In the event such a determination is made by the board of directors, the bonds shall be sold through a negotiated sale and the managing underwriter(s) shall be selected based on criteria, which shall include but not be limited to, experience, ability, responsiveness, and fee structure. Said criteria shall be established by the board of directors and shall be included in a request for proposals for the managing underwriter(s). Bonds sold at public sale shall be awarded to the bidder whose bid reflects the lowest true interest cost to the authority for the bonds being sold, computed to their respective absolute maturities; provided, that if no bid acceptable to the authority is received, it may reject all bids and readvertise. Notice of any public sale shall be given by such publication or by such distribution of notices of sale or both, as the board of directors may determine subject to state law. The authority may pay from the proceeds of the sale of its bonds all expenses, including publication and printing charges, attorney's fees, financial advisory fees, and other expenses which the board of directors may deem necessary or advantageous in connection with the authorization, advertisement, sale, execution and issuance thereof.

Section 9. In anticipation of the issuance of bonds, the authority may borrow such sums as may be needed for any of the aforesaid purposes and to obligate itself by certificate or promissory note, bearing interest at a rate or rates to be specified by the authority, and maturing within 18 months from the date of such certificate or promissory note. Such certificates or promissory notes shall be payable solely from the proceeds of the bonds of the authority and from the funds from which such bonds are payable. In the event that authority funds are not available for a loan for a project when application is made, in order to accelerate the completion of any project, a community water system may, with the approval of the authority, obligate such community water system to provide local funds to pay that portion of the cost of the project which the authority will make available by loan, and the authority shall refund the amount expended on its behalf by such water system.

Section 10. The authority may, from time to time, issue and sell its refunding bonds for the purpose of refunding any matured or unmatured bonds of the authority at the time outstanding and any premiums necessary to be paid to redeem any bonds so to be refunded. The holders of such refunding bonds shall be subrogated and entitled to all priorities, rights and pledges to which the bonds refunded thereby were entitled.

Section 11. (a) In order to provide for the funding of the loan by the authority for a project to a community water system, such water system shall establish a dedicated source of revenue to repay the monies received from the authority and to provide for operation, maintenance and equipment replacement expenses. Such water system is hereby authorized and empowered, any existing statute to the contrary notwithstanding, to do and perform any one or more of the following:

(1) To obligate itself to pay to the authority at periodic intervals a sum sufficient to provide bond debt service with respect to the bonds of the authority issued to fund the loan for such project and to pay over such debt service to the account of the project for deposit to the water supply assistance fund;

(2) To levy, collect and pay over to the authority and to obligate itself to continue to levy, collect and pay over to the authority the proceeds of any one or more of the following:

a. Any water supply service fee or charge; and

b. Other revenue available to the community water system;

(3) To undertake and obligate itself to pay its contractual obligation to the authority solely from the proceeds from any one or more of the sources specified in subdivision (2) above, or to impose upon, itself a general obligation pledge, if appropriate, to the authority additionally secured by a pledge of any one or more of such sources;

(4) To obligate itself to continue to levy and collect such revenues, fees and charges as shall equal not less than 110 percent nor more than 125 percent, as determined by the authority of the maximum principal and interest maturing and coming due in any one year on the bonds issued by the authority to fund a loan for the project; and

(5) To enter into such agreements, to perform such acts and to delegate such functions and duties as its governing body shall determine to be necessary

or desirable to enable the authority to fund a loan to the community water system to aid it in the construction or acquisition of a project.

(b) In the event of default, the authority may utilize all available remedies under state law.

(c) All loans made by the authority shall provide that repayment of such loans shall be made in accordance with guidelines for such repayment made by the authority.

(d) The recipients of loans shall maintain project accounts in accordance with generally accepted government accounting standards.

Section 12. The state treasurer may invest any idle or surplus moneys of the state in bonds of the authority. The governing body of any county or municipality is authorized in its discretion to invest any idle or surplus money held in its treasury in bonds of the authority. Such bonds shall be legal investments for executors, administrators, trustees and other fiduciaries, unless otherwise directed by the court having jurisdiction of the fiduciary relation or by the document that is the source of the fiduciary's authority, and for savings banks and insurance companies organized under the laws of the state.

Section 13. All bonds or other indebtedness of the authority and the coupons applicable thereto and the income therefrom and all projects or parts thereof and all assets of the authority shall be forever exempt from any and all taxation in the state.

Section 14. All securities issued by the authority shall be exempt from the laws of the state governing usury or prescribing or limiting interest rates, including, but without limitation, the provisions of chapter 8 of Title 8, Code of Alabama 1975.

Section 15. This act is intended to aid the state through the furtherance of its purposes by providing an appropriate and independent instrumentality of the state with full and adequate powers to fulfill its functions. Except as expressly provided in this act, no proceeding, notice or approval shall be required for the incorporation of the authority, the purchase of any loans or the making of any loan to a community water system, the issuance of any bonds, or the exercise of any other of its powers by the authority.

Section 16. All bonds issued by the authority, while registered, shall be construed to be negotiable instruments even though they are payable from a limited source. All coupons applicable to any bonds issued by the authority, while the applicable bonds are registered as to both principal and interest, shall likewise be construed to be negotiable instruments although payable from a limited source.

Section 17. All bonds, notes and certificates issued by the authority shall be solely and exclusively obligations of the authority, payable solely from the revenues, income, fees or charges which may pursuant to the provisions of this act, be pledged to the payment thereof, and no such bonds, notes or certificates shall create an obligation or debt of the state. Provided, however, that an agreement by the authority to make a loan to a community water system for a project shall impose an obligation on the state to make such loan from any funds which are then or may thereafter become available regardless of the funding of the loan by the community water system and subject only to any terms and conditions set forth in such agreement.

Section 18. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 19. All laws or parts of laws which conflict with this act are hereby repealed.

Section 20. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Also:

Amend Senate Bill 24 as substituted on Page 2, line 32, following the word "projects." by inserting the following words Further it is the intent of the legislature that community water systems shall not be required to participate in programs authorized by this act.

Further amend Senate Bill 24 as substituted on Page 9, line 11, by inserting the word only between the word "repay" and the word "the".

Further amend Senate Bill 24 as substituted on Page 11 by striking the language beginning with the word "Provided" on line 27 and ending with the word "agreement." on line 32.

Also:

Amend S. B. 24 as substituted, on page 9, line 31, after the semi-colon by adding the following language:

provided, however, that all members of said community water system shall be notified of the proposed contract with the authority, specifically stating the obligations and pledge of revenue and other terms and conditions of said contract, and provided further that a formal meeting of the community water system be held and a vote be taken prior to the final agreement with the authority being made;

and requested a Committee on Conference.

Yeas 22; Nays 3.

Yeas:

Senators:	Campbell	Figures	Manley	
Amari	Corbett	Goodwin	Menton	
Bailey	Covington	Hale	Mitchem	
Bedford	Denton	Hand	Preuitt	
Bedsole	Dixon	Holmes	Smith (B)	
Bennett	Ellis	Langford		—22

Nays:

Senators:	Cabaniss	deGraffenried	Foshee	—3
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And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate, Senators Barron, Covington, and Foshee.

MESSAGE FROM THE HOUSE

Mr. President:

The House has non-concurred in the Senate amendment to the Bill:

H. 6. Relating to elections; to define the meaning of terms used in this act; to provide for the designation and organization of a principal campaign

committee by each candidate for election to state or local office; to designate the Secretary of State and the Judge of Probate as the recipients of reports and statements required to be filed by this act; to provide for the registration of political committees, including the principal campaign committee of each candidate; to provide for the reporting of contributions received and expenditures made by political committees; to provide for the designation of campaign depositories; to delineate the duties of the Secretary of State and Judge of Probate; to provide for the disbursement of campaign contributions in excess of expenditures; to provide for proper identification of campaign advertising; to prohibit the intimidation of voters, certain expenditures to influence voting, the publication or distribution of certain political statements, contributions in the name of another, fraudulent misrepresentations of campaign authority, and coercion of contributions; to provide penalties for the violation of the provisions of this act; to require that certificates of election be withheld under certain circumstances; and to repeal chapter 22 of Title 17 of the Code of Alabama 1975.

and requests a Committee on Conference.

And the Speaker of the House has appointed as Conferees on part of the House, Representatives: Campbell, Fuller, and Holley.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Bennett, the Senate acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill, H. B. 6, the title of which is set out in the foregoing Message from the House.

Yeas 30; Nays 0.

Yeas:

Senators:	Cabaniss	Drinkard	Langford
Amari	Campbell	Figures	Manley
Bailey	Corbett	Foshee	Menton
Barron	Covington	Goodwin	Mitchem
Bedford	deGraffenried	Hale	Preuitt
Bedsole	Denton	Hand	Smith (B)
Bennett	Dial	Holmes	Smith (J)
Bishop	Dixon	Horn	

—30

Nays:

—0

And the President and Presiding Officer of the Senate appointed as Committee on the part of the Senate, Senators Drinkard, Bennett, and deGraffenried.

MESSAGE FROM THE HOUSE

Mr. President:

The House has non-concurred in the Senate amendment to the Bill:

H. 18. To amend Sections 40-23-2, 40-23-61, 40-23-101 and 40-23-102, Code of Alabama 1975, which levy sales and use taxes on automotive vehicles, truck trailers, semitrailers, and house trailers, so as to increase the levy from

1 1/2% to 2% and amends Sections 40-23-35 and 40-23-108 to distribute the additional funds generated to the state general fund.

and requests a Committee on Conference.

And the Speaker of the House has appointed as Conferees on part of the House, Representatives: Harper, Turner, and Coburn.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Horn, the Senate acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill, H. B. 18, the title of which is set out in the foregoing Message from the House.

Yeas 29; Nays 0.

Yeas:

Senators:	Campbell	Ellis	Langford
Amari	Corbett	Foshee	Manley
Bailey	Covington	Goodwin	Menton
Bedford	deGraffenried	Hale	Preuitt
Bedsole	Denton	Hand	Rice
Bennett	Dial	Holmes	Smith (B)
Bishop	Dixon	Horn	Smith (J)
Cabaniss	Drinkard		

—29

Nays:

—0

And the President and Presiding Officer of the Senate appointed as Committee on the part of the Senate, Senators Preuitt, Drinkard, and Horn.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate Bill and returns same herewith to the Senate.

S. 199. To amend Act No. 87-761 of the 1987 Regular Legislative Session as it amended Section 4 of Act No. 86-645 1st Special Session, 1986, concerning the repayment of funds transferred from Fund No. 305735 by said Act.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Horn, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 199, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE AMENDMENT TO S. B. 199

Amend Senate Bill 199 on page 1, Section 1, by striking therefrom lines 28 through 32 in their entirety and inserting in lieu thereof the following:

October 1, 1987 for the fiscal year ending September 30, 1988. A sum equivalent to seven million dollars (\$7,000,000) is hereby appropriated

into Fund No. 305735 from the State General Fund to be paid in quarterly allotments beginning October 1, 1989 for the fiscal year ending September 30, 1990.

Yeas 26; Nays 0.

Yeas:

Senators:	Bishop	Drinkard	Horn	
Amari	Cabaniss	Ellis	Langford	
Bailey	Campbell	Figures	Manley	
Barron	Corbett	Foshee	Menton	
Bedford	Covington	Goodwin	Preuitt	
Bedsole	deGraffenried	Hand	Smith (B)	
Bennett	Denton	Holmes		—26

Nays: —0

RESOLUTION

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

S. R. 78. SPECIAL ORDER CALENDAR.

RESOLVED BY THE SENATE That the following bills in the order named shall be the paramount and continuing order of business taking precedence over all other matters upon reaching bills on third reading for the twelfth legislative day of the 1988 First Special Session only:

Inst Id	Page
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H. 27	13
-------	----

General Fund Budget, provided.

H. 95	13
-------	----

State employees, cost of living pay, incr.

On motion of Senator Drinkard, the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate Bill and returns same herewith to the Senate.

S. 34. To make an appropriation of \$30,000 from the State General Fund to the Coosa-Alabama River Improvement Association for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Horn, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 34, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE AMENDMENT TO S. B. 34

Amend Senate Bill 34 on page 1, in the Synopsis on line 8; in the Title on line 19; and in Section 1 on line 27, by striking therefrom the figure "\$30,000" and inserting in lieu thereof the figure:

\$75,000

Yeas 29; Nays 0.

Yeas:

Senators:	Campbell	Ellis	Horn
Bailey	Corbett	Figures	Langford
Barron	Covington	Foshee	Manley
Bedford	deGraffenried	Goodwin	Menton
Bedsole	Denton	Hale	Mitchem
Bennett	Dial	Hand	Preuitt
Bishop	Dixon	Holmes	Smith (B)
Cabaniss	Drinkard		

—29

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 319. To amend Section 28-3-203, Code of Alabama 1975, by increasing the tax levied upon the selling price of all spirituous or vinous liquors sold by the Alabama Alcoholic Beverage Control Board from 5% to 13%, and to pledge and appropriate a portion of the receipts collected under this Act to provide for payment of the principal on, premium, if any, and interest on, all bonds issued by the Alabama Mental Health Finance Authority, as authorized by Act 88-475, to the extent necessary for such purpose; to provide for the distribution of the remaining proceeds of such revenues.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE GOVERNOR

To The Senate of Alabama
Alabama State House
Montgomery, Alabama 36130

Lady and Gentlemen:

I transmit herewith to you a message from the Governor, returning Senate Bill No. 66, without the Governor's signature and approval, but with the following veto message.

Done this 14th day of September, 1988.

Respectfully submitted,
JAMES F. REDDOCH, JR.
Executive Secretary.

MESSAGE FROM THE GOVERNOR

To The Senate of Alabama
Alabama State House
Montgomery, Alabama 36130

Lady and Gentlemen:

I am returning to you, the body in which it originated, Senate Bill No. 66, without my signature.

After reviewing this bill relating to compensation of the Lamar County Board of Registrars, I find that it is a companion bill to Senate Bill No. 67, which is a bill that passed in this legislative session and has been signed by me (Act No. 88-774).

The sponsor of this bill has been contacted by my office, and I understand that he has no objections to the veto of Senate Bill No. 66.

For the foregoing reasons, I hereby veto Senate Bill No. 66. I encourage you to join me in this decision.

Done this 14th day of September, 1988.

Respectfully,

GUY HUNT,
Governor.

GOVERNOR'S MESSAGE

On motion of Senator Bedford, the Senate sustained the veto of His Excellency, the Governor, to the Bill:

S. 66. Relating to Lamar County, amending Act No. 82-114, H. 522, 1982 Regular Session, which provided for the compensation of certain county officials, so as to increase the compensation of members of the board of registrars.

by a vote of

Yeas 25; Nays 0.

Yeas:

Senators:	Denton	Hand	Menton
Bedford	Dial	Hilliard	Mitchem
Bennett	Dixon	Holmes	Parsons
Bishop	Ellis	Horn	Preuitt
Cabaniss	Foshee	Langford	Rice
Campbell	Goodwin	Manley	Sanders
Corbett	Hale		

—25

Nays:

—0

which was a majority of the whole number elected to the Senate.

RESOLUTIONS

Senator Amari offered the following Senate Resolutions, to-wit:

S. R. 79. EXTENDING CONGRATULATIONS TO MARGARET ANN FAIN OF BIRMINGHAM, ALABAMA, ON THE OCCASION OF HER BIRTHDAY, SEPTEMBER 30, 1988.

Also:

S. R. 80. COMMENDING DR. PADGETT COPE FOR HIS MINISTRY AT RUHAMA BAPTIST CHURCH.

Which were filed.

Senator Smith (J) offered the following Senate Resolutions, to-wit:

S. R. 81. COMMENDING MR. E. W. STEPHENSON, JR., OF HUNTSVILLE, ALABAMA.

Also:

S. R. 82. COMMENDING WARREN K. CLARK FOR OUTSTANDING COMMUNITY SERVICE.

Also:

S. R. 83. COMMENDING MORRIS W. ANDERSON OF HUNTSVILLE, ALABAMA.

Also:

S. R. 84. COMMENDING JOSEPH C. DOWDLE OF TUSCALOOSA, ALABAMA.

Also:

S. R. 85. COMMENDING MARY JANE CAYLOR OF HUNTSVILLE, ALABAMA.

Which were filed.

Senators Foshee, Amari, Bailey, Barron, Bedford, Bedsole, Bennett, Bishop, Cabaniss, Campbell, Covington, deGraffenried, Denton, Dial, Dixon, Drinkard, Ellis, Figures, Goodwin, Hale, Hand, Hilliard, Holmes, Horn, Langford, Manley, Menton, Mitchem, Parsons, Preuitt, Rice, Sanders, Smith (B), and Smith (J) offered the following Senate Resolution, to-wit:

S. R. 86. COMMENDING THE PUBLIC SERVICE COMMISSION.

Which was adopted.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. White (F), Johnson (Ray), and Bugg:

H. J. R. 182. REPEALING ACT NO. 145, H. J. R. 105, 1975 REGULAR SESSION, WHICH PETITIONED THE CONGRESS OF THE UNITED STATES TO CONVENE A CONSTITUTIONAL CONVENTION FOR THE PURPOSE OF PROPOSING AN AMENDMENT TO THE CONSTITUTION WHICH WOULD PROHIBIT DEFICIT SPENDING BY THE U. S. GOVERNMENT, EXCEPT IN TIMES OF NATIONAL EMERGENCY.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That Act No. 145, H. J. R. 105, 1975 Regular Session, is hereby repealed.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent forthwith to each member of the Alabama delegation in the United States Congress and the Clerk of the United States House of Representatives and the Secretary of the United States Senate.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Drinkard, the Rules were suspended and the Resolution, H. J. R. 182, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

BILLS ON THIRD READING

Senator Drinkard requested and received permission to suspend the Rules in order to bring up the Bill:

H. 360. To validate certain ad valorem taxes levied for school purposes; and to provide that ad valorem taxes levied for school purposes and approved by the voters of a county or school district for a period in excess of 30 years are valid for the period approved by voters.

And said Bill, H. B. 360, was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	deGraffenried	Foshee	Manley
Amari	Denton	Goodwin	Menton
Barron	Dial	Hale	Mitchem
Bedsole	Dixon	Hand	Parsons
Bishop	Drinkard	Holmes	Preuitt
Cabaniss	Ellis	Langford	Smith (B)
Campbell	Figures		

—25

Nays:

—0

THE BILL:

H. 88. Relating to Chambers County, providing further for the compensation of poll workers.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cabaniss	Hale	Manley
Amari	Campbell	Hand	Menton
Bailey	Corbett	Hilliard	Parsons
Barron	Dial	Holmes	Preuitt
Bedsole	Ellis	Horn	Rice
Bennett	Foshee	Langford	Sanders
Bishop	Goodwin		

—25

Nays:

—0

THE BILL:

H. 165. Relating to Pike County; providing for the mode of construction, maintenance and repair of public roads, highways, bridges and ferries under the county unit system; authorizing and requiring the county engineer; providing for the manner of selecting said engineer; prescribing his qualifications and requiring bond; defining his authority, powers and duties and those of the county commission in relation to the roads, highways, bridges and ferries of Pike County; prohibiting the performance of certain work on private property; providing civil fines for violations; and providing for an effective date.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Covington	Hale	Manley	
Amari	Denton	Hand	Menton	
Barron	Dial	Hilliard	Parsons	
Bedsole	Dixon	Holmes	Preuitt	
Bennett	Ellis	Horn	Rice	
Bishop	Foshee	Langford	Sanders	
Cabaniss	Goodwin			—25

Nays: —0

THE BILL:

H. 349. Relating to Marion County; authorizing the county board of health to designate the services rendered by the county health department for which a reasonable fee may be charged and to set the appropriate fee for each service; and providing that no citizen shall be denied any service because of that person's inability to pay.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Denton	Hand	Menton	
Bedford	Dial	Hilliard	Mitchem	
Bennett	Dixon	Holmes	Parsons	
Bishop	Ellis	Horn	Preuitt	
Cabaniss	Foshee	Langford	Rice	
Campbell	Goodwin	Manley	Sanders	
Corbett	Hale			—25

Nays: —0

THE BILL:

H. 352. Relating to Franklin County; amending Act No. 88-562, S. 667, 1988 Regular Session (Acts 1988, p. 881), levying a county privilege, license or excise tax on the sale, distribution, storage, use or other consumption of tobacco and certain tobacco products in such county, so as to provide further for the collection and enforcement of the tax; and for the distribution of the proceeds therefrom.

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was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Denton	Hand	Menton	
Bedford	Dial	Hilliard	Mitchem	
Bennett	Dixon	Holmes	Parsons	
Bishop	Ellis	Horn	Preuitt	
Cabaniss	Foshee	Langford	Rice	
Campbell	Goodwin	Manley	Sanders	
Corbett	Hale			—25

Nays: —0

THE BILL:

H. 353. Relating to Marion County; providing for the merging of the budgetary operations of the tax assessor's office; providing that said office shall be financed on a pro rata share basis from proceeds of state, county and municipal ad valorem taxes collected in the county; providing certain exceptions and providing for supplemental effect.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Denton	Hand	Menton	
Bedford	Dial	Hilliard	Mitchem	
Bennett	Dixon	Holmes	Parsons	
Bishop	Ellis	Horn	Preuitt	
Cabaniss	Foshee	Langford	Rice	
Campbell	Goodwin	Manley	Sanders	
Corbett	Hale			—25

Nays: —0

THE BILL:

H. 354. Relating to Dale County; providing further for the distribution of the beer taxes levied by Act No. 82-344, H. 165, 1982 Regular Session.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Covington	Hale	Manley	
Amari	Denton	Hand	Menton	
Barron	Dial	Hilliard	Parsons	
Bedsole	Dixon	Holmes	Preuitt	
Bennett	Ellis	Horn	Rice	
Bishop	Foshee	Langford	Sanders	
Cabaniss	Goodwin			—25

Nays: —0

THE BILL:

H. 325. Relating to the Eighteenth Judicial Circuit, in Clay, Coosa and Shelby Counties, providing further for the compensation of the district attorney.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Campbell	Hilliard	Mitchem	
Amari	Dial	Holmes	Preuitt	
Barron	Ellis	Horn	Rice	
Bedsole	Foshee	Langford	Sanders	
Bennett	Goodwin	Manley	Smith (B)	
Bishop	Hale	Menton	Smith (J)	
Cabaniss	Hand			—25

Nays: —0

THE BILL:

H. 357. To amend Section 9 of Act No. 88-562, S. 667 of the 1988 Regular Session of the Legislature, which act levies certain taxes on tobacco and tobacco products in Franklin County, so as to exempt Act No. 708 of the 1965 Regular Session of the Legislature approved on September 1, 1965, from the repealer provisions of said Section 9.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Corbett	Hale	Manley	
Amari	Denton	Hand	Menton	
Bedford	Dial	Hilliard	Parsons	
Bennett	Dixon	Holmes	Preuitt	
Bishop	Ellis	Horn	Rice	
Cabaniss	Foshee	Langford	Sanders	
Campbell	Goodwin			—25

Nays: —0

THE BILL:

H. 362. To amend Section 9 of Act No. 88-562, S. 667 of the 1988 Regular Session of the Legislature, which act levies certain taxes on tobacco and tobacco products in Franklin County, so as to exempt Act No. 708 of the 1965 Regular Session of the Legislature approved on September 1, 1965, from the repealer provisions of said Section 9.

was read a third time at length and passed.

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12th Day

581

Yeas 25; Nays 0.

Yeas:

Senators:	Corbett	Hale	Manley	
Amari	Denton	Hand	Menton	
Bedford	Dial	Hilliard	Parsons	
Bennett	Dixon	Holmes	Preuitt	
Bishop	Ellis	Horn	Rice	
Cabaniss	Foshee	Langford	Sanders	
Campbell	Goodwin			—25
<i>Nays:</i>				—0

THE BILL:

H. 363. Relating to the City of Bear Creek in Marion County; to alter the corporate boundaries so as to include additional lands within the corporate limits; and to provide for a referendum thereon.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Corbett	Hale	Manley	
Amari	Denton	Hand	Menton	
Bedford	Dial	Hilliard	Parsons	
Bennett	Dixon	Holmes	Preuitt	
Bishop	Ellis	Horn	Rice	
Cabaniss	Foshee	Langford	Sanders	
Campbell	Goodwin			—25
<i>Nays:</i>				—0

THE BILL:

H. 365. Relating to Marion County; amending Act No. 88-619, H. 1030, 1988 Regular Session (Acts 1988, p. 961), levying a county privilege, license or excise tax on the sale, distribution, storage, use or other consumption of tobacco and certain tobacco products in such county, so as to provide further for the collection and enforcement of the tax; and for the distribution of the proceeds therefrom.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Corbett	Hale	Manley	
Amari	Denton	Hand	Menton	
Bedford	Dial	Hilliard	Parsons	
Bennett	Dixon	Holmes	Preuitt	
Bishop	Ellis	Horn	Rice	
Cabaniss	Foshee	Langford	Sanders	
Campbell	Goodwin			—25
<i>Nays:</i>				—0

THE BILL:

H. 172. To authorize the Jefferson County Board of Health to designate services rendered by the health department under its control for which fees may be charged and to establish the appropriate fee for each service; to authorize the Jefferson County Board of Health to charge and collect fees for services designated pursuant to this act; to provide that all fees established and collected pursuant to this act shall be retained and used by the Jefferson County Board of Health; to provide that all fees established and collected pursuant to this act shall not replace, but shall supplement and be in addition to, any and all federal, state and local funds otherwise provided to the Jefferson County Board of Health; to provide conditions applicable to the establishment or increase of fees authorized pursuant to this act, including the requirement of a public hearing and the right of the Jefferson County Commission to disapprove the establishment or increase of any fee; to authorize the Jefferson County Board of Health to adopt and to alter rules and regulations for the implementation and administration of this act and to provide that fees charged pursuant to this act shall be established, modified and collected in accordance with such rules and regulations; to provide that fees for services shall not be charged to persons unable to pay and to provide for confidentiality in the determination of any person's ability to pay; and to repeal all laws or parts of laws in conflict with this act to the extent applicable to Jefferson County.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Covington	Foshee	Menton	
Amari	deGraffenried	Goodwin	Parsons	
Barron	Denton	Hale	Rice	
Bedford	Dial	Hilliard	Sanders	
Bennett	Dixon	Horn	Smith (B)	
Cabaniss	Ellis	Manley	Smith (J)	
Corbett	Figures			—25

Nays: —0

UNFINISHED BUSINESS

The Senate proceeded to consideration of the Unfinished Business for today, which was the Bill:

H. 47. To amend sections 27-4-4 and 27-4-5, Code of Alabama 1975, so as to delete provisions allowing insurance companies to deduct examination expenses from premium taxes.

The question was on the substitute No. 2 offered by Senator Corbett, which said substitute is set out in the Journal of the Senate for the Eleventh Legislative Day.

On motion of Senator Corbett, said substitute was laid on the table.

Senator Corbett then offered the following substitute No. 3 to the Bill, H. B. 47, to-wit:

SUBSTITUTE NO. 3 FOR H. B. 47

**A BILL
TO BE ENTITLED
AN ACT**

To amend Sections 27-4-4 and 27-4-5, Code of Alabama 1975, so as to delete the provisions allowing insurance companies to deduct examination expenses from premium taxes and to increase domestic premium tax rates and to provide that the increased revenue will be deposited in the State General Fund.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 27-4-4, Code of Alabama, 1975 is hereby amended to read as follows:

Section 27-4-4.

“(a) Every foreign insurer, except foreign life insurers, shall pay to the commissioner a premium tax amounting to four percent of the premiums received by such foreign insurer for business done in this state except as to wet marine and transportation insurance as defined in section 27-5-8, whether the same are actually received by said insurer in this state or elsewhere. Every foreign life insurer shall pay to the commissioner a premium tax amounting to one percent of annuity considerations and a premium tax of three percent of any other premiums received by such foreign life insurer for business done in this state, whether the same are actually received by said insurer in this state or elsewhere. The rate of tax on premiums shall be subject to reduction as provided in this section. Beginning January 1, 1987, each foreign insurer shall pay its premium taxes on October 15, 1987, on an estimated basis of 50 percent of premiums received by such insurer in 1986 for business done in this state or, at the option of the insurer, based on its actual business done in this state from January 1 through June 30, 1987. On March 1, 1988, each foreign insurer shall remit with its premium tax return, the remainder of the premium taxes due on its actual business done in this state during the preceding calendar year, 1987. Beginning January 1, 1988, and all years thereafter, each foreign insurer shall pay its premium taxes on a quarterly basis as follows: the May 15 payment shall be estimated on 25 percent of its actual business done in this state during the preceding calendar year or, at the option of such insurer, based on its actual business done in this state from January 1 through March 31 of the same calendar year; the August 15 payment shall be estimated on 25 percent of its business done in this state during the preceding calendar year or, at the option of such insurer, based on its actual business done in this state from April 1 through June 30 of the same calendar year; the November 15 payment shall be estimated on 25 percent of its business done in this state during the preceding calendar year or, at the option of such insurer, based on its actual business done in this state from July 1 through September 30 of the same calendar year and the March 1 payment shall be in the amount of the remainder of the premium taxes due on its actual business done in this state during the preceding calendar year. Each authorized insurer shall file with the commissioner a statement, in form as furnished or approved by him, setting forth the total amount of premiums and annuity considerations received by it for business done in this state during the period covered by

the tax payment, except as to wet marine and transportation insurance as defined in section 27-5-8. The statement shall be verified by the affidavit of an officer of the insurer having knowledge of the facts. It is the intent and meaning of this section that any taxes paid based on an estimated basis for the preceding calendar year shall be reconciled to actual premiums collected in this state for a calendar year on the March 1 payment date of the succeeding calendar year. Further, that the premium taxes on premiums collected during the first and second six-month periods of calendar year 1987, shall be paid in the manner specifically provided in this section.

The premium taxes collected in this section shall be deposited in the state treasury and credited in accordance with the following tabulation:

(1) To the credit of the state general fund, from which the legislature may appropriate funds for old age assistance purposes.

- a. One hundred percent of premium tax on foreign life insurers;
- b. Sixty-two and one-half percent of premium tax on all foreign property insurers; and
- c. Seventy-five percent of premium tax on all other foreign insurers; and

(2) To the credit of the Alabama special educational trust fund:

- a. Thirty-seven and one-half percent of premium tax on foreign property insurers; and
- b. Twenty-five percent of premium tax on all other foreign insurers.

~~(b) If the annual statement or other report required to be made by such foreign insurer to the Alabama department of insurance, whose premiums are taxed under this chapter, for the preceding calendar year shows such insurer to have invested at the close of said year in Alabama investments, as defined in this section, the requisite percentages of its total admitted assets, the rate of premium tax hereby levied on premiums shall be that shown in the following schedules:~~

Percentage of Insurer's Admitted Assets Invested in Alabama Investments	Applicable Rate of Premium Tax for Foreign Life Insurers	Applicable Rate of Premium Tax for All Other Foreign Insurers
Less than 1%	3.0%	4.0%
1% and above but less than 2%	2.9%	3.9%
2% and above but less than 3%	2.8%	3.8%
3% and above but less than 4%	2.7%	3.7%
4% and above but less than 5%	2.6%	3.6%
5% and above but less than 6%	2.5%	3.5%
6% and above but less than 7%	2.4%	3.4%
7% and above but less than 8%	2.3%	3.3%
8% and above but less than 9%	2.2%	3.2%
9% and above but less than 10%	2.1%	3.1%

~~10% and above~~ ~~2.0%~~ ~~3.0%~~

(c) ~~Alabama investments, as used in this section, shall mean any of the following investments:~~

~~(1) Real estate in this state;~~

~~(2) Bonds or interest-bearing warrants or other evidences of indebtedness of the state of Alabama or of any county, city, town, school district, state educational institution, municipality or other subdivisions of the state, or of any duly authorized agency, board or authority of the state of Alabama or of any political subdivision thereof whether such agency, board or authority now exists or is hereafter created;~~

~~(3) Stocks, bonds or other evidences of indebtedness of any housing or redevelopment authority organized under the Housing Authorities Law or Redevelopment Law of the state of Alabama, as from time to time established and amended;~~

~~(4) Notes or bonds secured by mortgages or other liens on real estate or on leasehold interests in real estate in the state of Alabama;~~

~~(5) Stocks, bonds, debentures, notes or other evidences of indebtedness of any corporation organized under the laws of the state of Alabama;~~

~~(6) Notes, debentures or other evidences of any indebtedness of any business operated as a sole proprietorship, partnership or other legal entity having its principal office and place of business in the state of Alabama;~~

~~(7) Notes, bonds or other evidences of indebtedness secured by mortgage or other lien upon real estate situated in the state of Alabama and insured or guaranteed, in whole or in part, by the United States or any agency or instrumentality thereof, together with any bonds, debentures or other evidences of indebtedness of the United States or any agency or instrumentality thereof received and retained in whole or partial settlement of any such insurance or guaranty;~~

~~(8) Collateral loans to Alabama residents or to others where at least one half of the value of the collateral so pledged constitutes an Alabama investment as defined in this section;~~

~~(9) Cash deposits in regularly established national or state banks in this state on the basis of the average monthly deposits throughout the calendar year;~~

~~(10) Loans secured by policies on the lives of residents of the state of Alabama;~~

~~(11) Share or share accounts of building and loan associations organized under the laws of the state of Alabama or in the share or share accounts of federal savings and loan associations having their principal office in the state of Alabama;~~

~~(12) Stocks, bonds, notes, debentures or other evidences of indebtedness of any corporation organized under the laws of any other state of the United States, to the extent that the assets of such corporation located in the state of Alabama bear to the total assets of the corporation issuing such stocks, bonds, notes or other evidences of indebtedness;~~

~~(13) Stocks, bonds, notes or other evidences of indebtedness issued by railroad companies, public carriers or transportation companies, to the~~

~~extent that its trackage or mileage in Alabama bears to the total trackage or mileage of such railroad, public carrier or other transportation company;~~

~~(14) That percentage of such insurer's investments in stocks, bonds, notes or other evidences of indebtedness of any telegraph, telephone, electric power company or other public utility to the extent that the revenue of any such company from Alabama bears to the total of such telegraph, telephone, electric power company or other public utility; and~~

~~(15) That percentage of the insurer's investments held as of December 31, in direct obligations of the United States of America as the total premiums received by the company for direct insurance of subjects located, resident or to be performed in Alabama relate to the total premiums received by the insurer.~~

(d) (b) Any such tax so determined shall be subject to credit and deduction of the full amount, with 25 percent of the full amount paid, or estimated to be paid, being credited or deducted on each quarterly payment date, for:

(1) All ad valorem taxes paid by the insurer for the tax year next preceding the filing of the return required by this section upon any real estate and the improvements thereon in the state of Alabama owned and at least 50 percent occupied by the insurer for the full period of such tax year;

(2) All license fees and taxes paid to any county in this state during the year preceding the filing of the return required by this section for the privilege of engaging in the business of insurance within said county;

(3) All franchise taxes paid by the insurer under the provisions of sections 40-14-40 or 40-14-41 for the tax year preceding the filing of the return required by this section; and

~~(4) All expense of examination of the insurer by the commissioner.~~

(5) (4) All credits for assessments paid as provided under the provisions of sections 27-42-16 and 27-44-13.

(6) (5) It is the intent of this section that any estimated allowable deduction be reconciled to actual expenditures made during the calendar year next preceding the filing of the tax return and necessary adjustments reflected in the tax payment due March 1. Credit taken against taxes due for the six-month period ending June 30, 1987, and payable on October 15, 1987, will be in the amount of one-half of deductible expenses paid or estimated to be paid, and the remainder of any such expenses paid during calendar year 1987 will be reflected in the premium tax return due March 1, 1988."

Section 2. Section 27-4-5 of the Code of Alabama, 1975 is hereby amended to read as follows:

Section 27-4-5.

"(a) Every domestic life insurer shall pay to the commissioner a premium tax equal to ~~one~~ three percent of the premiums and one percent of annuity considerations received by such insurer for business done in this state during the preceding period, whether the same are actually received by said insurer in this state or elsewhere. Every other domestic insurer ~~and every nonprofit corporation organized pursuant to the provisions of section 10-4-100 et seq.~~

shall pay to the commissioner a premium tax equal to ~~one~~ four percent of the premiums received by such insurer for business done in this state during the preceding period, whether the same are actually received by said company in this state or elsewhere and every non-profit corporation organized pursuant to the provisions of Section 10-4-100 et seq. shall pay to the commissioner a premium tax equal to two percent of the premiums received by such insurer for business done in this state during the preceding period, whether the same are actually received by said company in this state or elsewhere. Beginning January 1, 1987, each domestic insurer shall pay its premium taxes on October 15, 1987, on an estimated basis of 50 percent of premiums received by such insurer in 1986 for business done in this state or, at the option of such insurer, based on its actual business done in this state from January 1 through June 30, 1987. On March 1, 1988, each domestic insurer shall remit with its premium tax return, the remainder of the premium taxes due on actual business done in this state during the preceding calendar year, 1987. Beginning January 1, 1988, and all years thereafter, each domestic insurer shall pay its premium taxes on a quarterly basis as follows: the May 15 payment shall be estimated on 25 percent of its business done in this state during the preceding calendar year or, at the option of such insurer, based on its actual business done in this state from January 1 through March 31 of the same calendar year; the August 15 payment shall be estimated on 25 percent of its business done in this state during the preceding calendar year or, at the option of such insurer, based on its actual business done in this state from April 1 through June 30 of the same calendar year; the November 15 payment shall be estimated on 25 percent of its business done in this state during the preceding calendar year or, at the option of such insurer, based on its actual business done in this state from July 1 through September 30 of the same calendar year and the March 1 payment shall be in the amount of the remainder of the actual premium taxes due on its business done in this state during the preceding calendar year. Every authorized insurer shall file with the commissioner a statement, in form as furnished or approved by him, setting forth the total amount of premiums and annuity considerations received by it for business done in this state during the period covered by the tax payment, except as to wet marine and transportation insurance as defined in section 27-5-8. The statement shall be verified by the affidavit of an officer of the insurer having knowledge of the facts. It is the intent and meaning of this section that any taxes paid based on an estimated basis for the preceding calendar year shall be reconciled to actual premiums collected in this state for a calendar year on the March 1 payment date of the succeeding calendar year. Further, that the premium taxes on premiums collected during the first and second six-month periods of calendar year 1987, shall be paid in the manner specifically provided in this section.

(b) Any such tax so determined shall be subject to credit and deduction of the full amount, with 25 percent of the full amount paid, or estimated to be paid, being credited or deducted on each quarterly payment date, for:

(1) All ad valorem taxes paid by the insurer for the tax year preceding the filing of the return required by this section upon any building and real estate in the state of Alabama owned and occupied, in whole or in part, by the insurer for the full period of such tax year as its principal office in the state of Alabama;

(2) All ad valorem taxes paid by the insurer for the tax year preceding the filing of the return required by this section upon all other real estate

and improvements thereon in this state owned and at least 50 percent occupied by the insurer for the full period of such tax year;

(3) All license fees and taxes paid to any county in this state during the year preceding the filing of the return required by this section for the privilege of engaging in the business of insurance within said county;

~~(4) All expenses of examination of the insurer by the commissioner;~~

~~(5)~~ (4) All license or privilege taxes on lists of securities paid by the insurer under the provisions of section 40-24-8 during the tax year preceding the filing of the return required by this section; and

~~(6)~~ (5) All franchise taxes paid by the insurer under the provisions of section 40-14-40 for the tax year preceding the filing of the return required by this section.

(7) (6) It is the intent of this section that any estimated allowable deductions be reconciled to actual expenditures made during the calendar year next preceding the filing of the tax return and necessary adjustments reflected in the tax payment due March 1. Credit taken against taxes due for the six-month period ending June 30, 1987, and payable on October 15, 1987, will be in the amount of one-half of deductible expenses paid or estimated to be paid, and the remainder of any such expenses paid during calendar year 1987 will be reflected in the premium tax return due March 1, 1988.

(c) The premium taxes collected under this section shall be deposited in the state treasury and credited as follows:

(1) To the credit of the state general fund:

a. ~~Fifty percent~~ 83.34 percent of premium tax on domestic life insurers;

b. ~~No part~~ 50 percent of premium tax on nonprofit corporations organized pursuant to the provisions of section 10-4-100 et seq.; and

c. ~~Twenty-five~~ 81.25 percent of premium tax on all other domestic insurers; and

(2) To the credit of the Alabama Special Educational Trust fund:

a. ~~Fifty percent~~ 16.66 percent of premium tax on domestic life insurers;

b. ~~One hundred~~ 50 percent of premium tax on nonprofit corporations organized pursuant to the provisions of section 10-4-100 et. seq.; and

c. ~~Seventy-five~~ 18.75 percent of premium tax on all other domestic insurers.

(d) Every domestic insurer, anything in this chapter to the contrary notwithstanding, shall be exempt from and not required to pay any premium tax for or on account of any premiums or annuity considerations for hospital, medical, surgical or other health care benefits supplementary to Medicare and Medicaid received by it for or on account of business done in this state, whether the same are actually received in this state or elsewhere."

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this Act are hereby repealed.

Section. 5. This Act shall become effective on October 1, 1988.

RECESS

At 11:20 A.M., on motion of Senator Goodwin, the Senate took a recess subject to the call of the Chair.

At 11:45 A.M., the recess period having expired, the Senate was called to order by Lieutenant Governor Folsom. A quorum of the Senate was present.

FURTHER CONSIDERATION OF H. B. 47

The Senate proceeded to further consideration of the Bill, H. B. 47. The question was on the substitute No. 3 offered by Senator Corbett.

Senator Cabaniss moved that said substitute be laid on the table, which motion was lost.

Yeas 15; Nays 16.

Yeas:

Senators:	Cabaniss	Hale	Preuitt	
Barron	Dial	Hand	Rice	
Bedford	Dixon	Holmes	Smith (B)	
Bedsole	Ellis	Manley	Smith (J)	—15

Nays:

Senators:	Campbell	Drinkard	Langford	
Amari	Corbett	Figures	Menton	
Bailey	deGraffenried	Goodwin	Parsons	
Bennett	Denton	Horn	Sanders	—16
Bishop				

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 214. Relating to Winston County; levying a county privilege, license or excise tax on the sale, distribution, storage, use or other consumption of tobacco and certain tobacco products in such county; providing for the collection and enforcement of the tax; providing for the distribution of the proceeds therefrom; and providing for a referendum.

Also:

S. 217. To amend Section 9 of Act No. 88-562, S. 667 of the 1988 Regular Session of the Legislature, which act levies certain taxes on tobacco and tobacco products in Franklin County, so as to exempt Act No. 708 of the 1965 Regular Session of the Legislature approved on September 1, 1965, from the repealer provisions of said Section 9.

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Also:

S. 219. To amend Section 9 of Act No. 88-562, S. 667 of the 1988 Regular Session of the Legislature, which act levies certain taxes on tobacco and tobacco products in Franklin County, so as to exempt Act No. 708 of the 1965 Regular Session of the Legislature approved on September 1, 1965, from the repealer provisions of said Section 9.

Also:

S. 220. Relating to Marion County; amending Act No. 88-619, H. 1030, 1988 Regular Session (Acts 1988, p. 961), levying a county privilege, license or excise tax on the sale, distribution, storage, use or other consumption of tobacco and certain tobacco products in such county, so as to provide further for the collection and enforcement of the tax; and for the distribution of the proceeds therefrom.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 59. Relating to Jefferson County; to continue the office of Assistant Sheriff, Bessemer Division: to prescribe the duties, responsibilities and term; to provide for the appointment, qualifications and compensation of said office; to repeal all conflicting statutes; to provide for severability of the provisions of this act and to prescribe the effective date of such act.

Also:

S. 61. Relating to Jefferson County; to prescribe for the compensation of the Chief Deputy Sheriff of Jefferson County and to provide for the payment thereof.

Also:

S. 127. Relating to Jefferson County; to provide for the appointment of a Chief Deputy Tax Collector by the elected Jefferson County Assistant Tax Collector, Bessemer Division, and to provide for compensation, funding and qualifications of said Chief Deputy.

Also:

S. 215. Relating to Lamar County; levying a county privilege, license or excise tax on the sale, distribution, storage, use or other consumption of tobacco and certain tobacco products in such county; providing for the collection and enforcement of the tax; and providing for the distribution of the proceeds therefrom.

Also:

S. 216. Relating to Lamar County; levying a special county privilege and license tax paralleling the state sales tax levied on certain automotive vehicles provided for by section 40-23-101, Code of Alabama 1975, and a special county excise tax paralleling the state use taxes levied on the storage or use of certain automotive vehicles provided for by section 40-23-102, Code

of Alabama 1975; specifying the rates at which such taxes shall be levied; providing for the ascertainment, collection, payment, distribution and use of the said taxes; and providing for enforcement of this act.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 29. To amend Section 9-11-257, Code of Alabama 1975, as last amended, relating to hunting within 100 yards of roads, highways, or railroads without permission from an adjacent landowner, so as to provide that no person, except a duly authorized law enforcement officer acting in the line of duty or person otherwise authorized by law, shall hunt or discharge any firearm from, upon, or across any public road, public highway or railroad, or their rights-of-way, logging railroads excepted; and to provide penalties for the violation thereof.

Also:

S. 52. To amend Section 43-2-502 of the Code of Alabama 1975, relating to the filing of accounts by executors or administrators, so as to provide that the written evidence in the possession of an executor or administrator on which the executor or administrator relies to sustain the credit side of the account may consist of an affidavit or any other legal evidence, in the discretion of the executor or administrator.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 141. To further amend Section 6 of Act No. 529 of the Legislature of Alabama of 1923, as codified in Title 62, Section 725, Code of Alabama 1940 (Recomp. 1958) and as amended by Act No. 87-788 to provide an expense allowance for members of the Park and Recreation Board of the City of Birmingham.

Also:

S. 202. Relating to Franklin County; amending Act No. 88-562, S. 667, 1988 Regular Session (Acts 1988, p. 881), levying a county privilege, license or excise tax on the sale, distribution, storage, use or other consumption of tobacco and certain tobacco products in such county, so as to provide further for the collection and enforcement of the tax; and for the distribution of the proceeds therefrom.

Also:

S. 211. To supplement the salaries of the circuit judges of the Sixth Judicial Circuit.

Also:

S. 221. Relating to the City of Bear Creek in Marion County; to alter the corporate boundaries so as to include additional lands within the corporate limits; and to provide for a referendum thereon.

JOHN W. PEMBERTON,
Clerk.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 34. To make an appropriation of \$75,000 from the State General Fund to the Coosa-Alabama River Improvement Association for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

Also:

S. 71. To make an appropriation from the State General Fund and the Alabama Special Educational Trust Fund for the fiscal year 1988-89 for the use of a sickle cell education program.

Also:

S. 98. To amend Section 5-19-4, Code of Alabama 1975, relating to consumer finance, so as to require actuarial method of computation on consumer loans and consumer credit sales with an original term of more than 61 months and to clarify method of refund in all other cases.

Also:

S. 132. To establish the "Alabama Hazardous Substance Cleanup Fund"; to provide that such fund shall be used for the cleanup and restoration of abandoned or inactive sites at which improper treatment, storage or disposal of hazardous substances has occurred; to plan and undertake the rehabilitation, removal and cleanup of hazardous substances deposited improperly at sites located within Alabama; to provide that this fund shall be used for sites not qualified for or unlikely to receive funding for cleanup from funds designated for cleanups under the federal Comprehensive Environmental Response, Compensation and Liability Act of 1980 (42 U.S.C. §9601 et seq.) and to provide state matching funds for cleanups under the federal Comprehensive Environmental Response, Compensation and Liability Act of 1980; to provide for penalties and recovery of cleanup costs; to provide that the fund shall be administered by the Alabama Department of Environmental Management; and to direct the Alabama Department of Environmental Management to secure other funds whenever possible.

Also:

S. 199. To amend Act No. 87-761 of the 1987 Regular Legislative Session as it amended Section 4 of Act No. 86-645 1st Special Session, 1986, concerning the repayment of funds transferred from Fund No. 305735 by said Act.

Also:

S. 201. To amend Act 88-475, as amended, 1988 Regular Session, which act creates the Alabama Mental Health Finance Authority and provides for mental health projects of the Authority, and financing of such projects; so as to authorize the Authority to enter into any necessary financial instruments or obligations with the Retirement Systems of Alabama in order to secure financing for the funding of projects of the Authority; to provide that such financing shall be payable solely from the taxes appropriated and pledged in Section 16 of Act 88-475, as amended; and to amend Section 16 of Act 88-475, as amended, so as to appropriate and pledge as additional security for bonds authorized pursuant to Act 88-475, as amended, all or a portion of the proceeds of the tax levied in House Bill 319 as approved by the Alabama Legislature in the First Special Session, 1988.

BILL DRINKARD,
Chairperson.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing report from the Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 182. REPEALING ACT NO. 145, H. J. R. 105, 1975 REGULAR SESSION, WHICH PETITIONED THE CONGRESS OF THE UNITED STATES TO CONVENE A CONSTITUTIONAL CONVENTION FOR THE PURPOSE OF PROPOSING AN AMENDMENT TO THE CONSTITUTION WHICH WOULD PROHIBIT DEFICIT SPENDING BY THE U. S. GOVERNMENT, EXCEPT IN TIMES OF NATIONAL EMERGENCY.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 88. Relating to Chambers County, providing further for the compensation of poll workers.

Also:

H. 165. Relating to Pike County; providing for the mode of construction, maintenance and repair of public roads, highways, bridges and ferries under the county unit system; authorizing and requiring the county engineer; providing for the manner of selecting said engineer; prescribing his qualifications and requiring bond; defining his authority, powers and duties and those of the county commission in relation to the roads, highways, bridges and ferries of Pike County; prohibiting the performance of certain work on private property; providing civil fines for violations; and providing for an effective date.

Also:

H. 349. Relating to Marion County; authorizing the county board of health to designate the services rendered by the county health department for which a reasonable fee may be charged and to set the appropriate fee for each service; and providing that no citizen shall be denied any service because of that person's inability to pay.

Also:

H. 352. Relating to Franklin County; amending Act No. 88-562, S. 667, 1988 Regular Session (Acts 1988, p. 881), levying a county privilege, license or excise tax on the sale, distribution, storage, use or other consumption of tobacco and certain tobacco products in such county, so as to provide further for the collection and enforcement of the tax; and for the distribution of the proceeds therefrom.

Also:

H. 353. Relating to Marion County; providing for the merging of the budgetary operations of the tax assessor's office; providing that said office shall be financed on a pro rata share basis from proceeds of state, county and municipal ad valorem taxes collected in the county; providing certain exceptions and providing for supplemental effect.

Also:

H. 360. To validate certain ad valorem taxes levied for school purposes; and to provide that ad valorem taxes levied for school purposes and approved by the voters of a county or school district for a period in excess of 30 years are valid for the period approved by voters.

Also:

H. 172. To authorize the Jefferson County Board of Health to designate services rendered by the health department under its control for which fees may be charged and to establish the appropriate fee for each service; to authorize the Jefferson County Board of Health to charge and collect fees for services designated pursuant to this act; to provide that all fees established and collected pursuant to this act shall be retained and used by the Jefferson County Board of Health; to provide that all fees established and collected pursuant to this act shall not replace, but shall supplement and be in addition to, any and all federal, state and local funds otherwise provided to the Jefferson County Board of Health; to provide conditions applicable to the establishment or increase of fees authorized pursuant to this act, including

the requirement of a public hearing and the right of the Jefferson County Commission to disapprove the establishment or increase of any fee; to authorize the Jefferson County Board of Health to adopt and to alter rules and regulations for the implementation and administration of this act and to provide that fees charged pursuant to this act shall be established, modified and collected in accordance with such rules and regulations; to provide that fees for services shall not be charged to persons unable to pay and to provide for confidentiality in the determination of any person's ability to pay; and to repeal all laws or parts of laws in conflict with this act to the extent applicable to Jefferson County.

Also:

H. 325. Relating to the Eighteenth Judicial Circuit, in Clay, Coosa and Shelby Counties, providing further for the compensation of the district attorney.

Also:

H. 354. Relating to Dale County; providing further for the distribution of the beer taxes levied by Act No. 82-344, H. 165, 1982 Regular Session.

Also:

H. 357. To amend Section 9 of Act No. 88-562, S. 667 of the 1988 Regular Session of the Legislature, which act levies certain taxes on tobacco and tobacco products in Franklin County, so as to exempt Act No. 708 of the 1965 Regular Session of the Legislature approved on September 1, 1965, from the repealer provisions of said Section 9.

Also:

H. 362. To amend Section 9 of Act No. 88-562, S. 667 of the 1988 Regular Session of the Legislature, which act levies certain taxes on tobacco and tobacco products in Franklin County, so as to exempt Act No. 708 of the 1965 Regular Session of the Legislature approved on September 1, 1965, from the repealer provisions of said Section 9.

Also:

H. 363. Relating to the City of Bear Creek in Marion County; to alter the corporate boundaries so as to include additional lands within the corporate limits; and to provide for a referendum thereon.

Also:

H. 365. Relating to Marion County; amending Act No. 88-619, H. 1030, 1988 Regular Session (Acts 1988, p. 961), levying a county privilege, license or excise tax on the sale, distribution, storage, use or other consumption of tobacco and certain tobacco products in such county, so as to provide further for the collection and enforcement of the tax; and for the distribution of the proceeds therefrom.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been

publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has acceded to the request of the Senate for a Committee on Conference on the disagreement of the two Houses on the House amendment to the Senate Bill:

S. 24. To create and provide for the incorporation, organization and operation of the Alabama water system assistance authority; to prescribe the powers and functions of the said authority as a public corporation; to authorize the authority to make loans or grants to public water systems and to issue bonds; to establish a special "water supply assistance fund"; to provide for a legislative oversight committee to monitor such authority; to provide that the revenues accruing to the Alabama water system assistance authority from bonds issued by such authority shall be deposited in a certain fund to be operated by the state treasury; and to provide for state assistance to and cooperation with community water systems in financing projects that would focus on locating, developing and sustaining adequate potable water supplies for the citizens of this state.

And the Speaker of the House has appointed as Committee on part of the House, Representatives: Britnell, Logan, and Richardson.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 76. MOURNING THE DEATH OF MARY HARRIETT MOON HAND OF HEFLIN, ALABAMA.

Also:

S. J. R. 77. NAMING THE DUAL BRIDGES, SPANNING CHAT-TASOFKA CREEK ON THE U. S. 280 DADEVILLE BY-PASS, IN HONOR OF JESSIE DENSON MCGILL.

JOHN W. PEMBERTON,
Clerk.

FURTHER CONSIDERATION OF H. B. 47

The Senate proceeded to further consideration of the Bill, H. B. 47. The question was on the substitute No. 3 offered by Senator Corbett.

And said substitute was adopted.

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Yeas 18; Nays 15.

Yeas:

Senators:	Campbell	Drinkard	Langford
Amari	Corbett	Figures	Menton
Bailey	Covington	Foshee	Parsons
Bennett	deGraffenried	Goodwin	Sanders
Bishop	Denton	Horn	

—18

Nays:

Senators:	Cabaniss	Hale	Mitchem
Barron	Dial	Hand	Preuitt
Bedford	Dixon	Holmes	Smith (B)
Bedsole	Ellis	Manley	Smith (J)

—15

And said Bill, H. B. 47, as thus amended by the substitute, was read a third time at length and passed.

Yeas 18; Nays 16.

Yeas:

Senators:	Campbell	Drinkard	Langford
Amari	Corbett	Figures	Menton
Bailey	Covington	Foshee	Parsons
Bennett	deGraffenried	Goodwin	Sanders
Bishop	Denton	Horn	

—18

Nays:

Senators:	Dial	Hand	Preuitt
Barron	Dixon	Holmes	Rice
Bedford	Ellis	Manley	Smith (B)
Bedsole	Hale	Mitchem	Smith (J)
Cabaniss			

—16

FURTHER CONSIDERATION OF H. B. 310

The Senate proceeded to further consideration of the Bill:

H. 310. To amend Section 27-4-2, Code of Alabama 1975, which provides for the collection of certain fees and licenses by the Commissioner of Insurance, so as to increase certain fees.

The question was on the substitute offered by Senator Hand, which said substitute is set out in the Journal of the Senate for the Tenth Legislative Day.

On motion of Senator Hand, said substitute was laid on the table.

Senator Bailey offered the following substitute for the Bill, H. B. 310, to-wit:

SUBSTITUTE FOR H. B. 310

**A BILL
TO BE ENTITLED
AN ACT**

To amend Sections 27-4-2, 27-7-7, 27-8-5 and 27-39-6, Code of Alabama 1975, which provide for the collection of certain fees and licenses by the Commissioner of Insurance, so as to increase certain fees.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Sections 27-4-2, 27-7-7, 27-8-5 and 27-39-6, Code of Alabama 1975, are hereby amended to read as follows:

“§27-4-2.

“(a) The commissioner of insurance shall collect in advance fees, licenses and miscellaneous charges as follows:

“(1) Certificate of authority:

“a. Initial application for original certificate of authority, including the filing with the commissioner of all documents incidental thereto \$ 25.00 500.00

“b. Issuance of original certificate of authority 20.00 500.00

“c. Annual continuation or renewal fee 200.00 500.00

“d. Reinstatement fee 50.00 500.00

“(2) Charter documents, filing with the commissioner amendment to articles of incorporation or of association, or of other charter documents or to bylaws 5.00 25.00

“(3) Solicitation permit, filing application and issuance .. 25.00 250.00

“(4) Annual statement of insurer, except when filed as part of application for original certificate of authority, filing 10.00 25.00

“(5) ~~Agent's license (resident or nonresident agents):~~

“a. ~~Property, casualty and surety agents:~~

“1. Filing application for license 10.00

“2. ~~Appointment of agent by insurer, property and casualty, each insurer~~ 5.00

“3. ~~Annual continuation of appointment, property and casualty, each insurer~~ 5.00

“b. ~~Life and disability insurance agents (resident agents):~~

“1. ~~Original license, each insurer~~ 5.00

“2. ~~Annual continuation of license, each insurer~~ 5.00

“c. ~~Life and disability nonresident agents:~~

“1. ~~Original license, each insurer~~ 26.00

“2. ~~Annual continuation of license, each insurer~~ 26.00

“(5) Agent Licenses and Appointments:

“a. Property, casualty and surety agents (resident or nonresident):

“1. Application fee (For filing of application for license or appointment) 20.00

“2. Appointment fee (For appointment of agent by insurer and annual renewal of appointment, each insurer)

FIRST EXTRAORDINARY SESSION
12th Day

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"(a) All classification except comprehensive property, casualty and surety, each classification	7.50
"(b) Comprehensive property, casualty and surety	7.50
"b. Life and disability resident agents	
"1. Application fee (For filing of application for license)	20.00
"2. License fee (For original license and each annual renewal, each insurer)	7.50
"c. Life and disability nonresident agents	
"1. Application fee (For filing application for license)	20.00
"2. License fee (For original license and each annual renewal, each insurer)	30.00
"d. Examination fees (For filing application for examination or reexamination of resident agent or broker)	
"1. Each classification of examination except comprehensive property, casualty and surety	10.00
"2. Comprehensive property, casualty and surety	30.00
"d. e. Each vending machine licensed under section 27-8-23, each year	5.00 25.00
"(6) Broker's license (resident or nonresident brokers):	
"a. Filing application for license	10.00 20.00
"b. Issuance of license	26.00 50.00
"c. Annual continuation of license	26.00 50.00
"(7) Solicitor's license:	
"a. Filing application for license	10.00
"b. Issuance of license	5.00
"e. a. Annual continuation of license	5.00 20.00
"(8) General agent's license:	
"a. Filing application for license	10.00 30.00
"b. Issuance of license, property and casualty, each insurer	5.00 25.00
"c. Annual continuation of license, each insurer	5.00 25.00
"(9) Service representative's license:	
"a. Filing application for license	10.00 20.00
"b. Issuance of license, property and casualty, each insurer	5.00 20.00
"c. Annual continuation of license, property and casualty, each insurer	5.00 20.00

~~"(10) Temporary license:~~~~"a. As resident agent, each insurer, property, casualty and life 5.00~~~~"b. As resident broker 26.00~~~~"c. As solicitor 5.00~~~~"(11) Examination for agent, broker or solicitor license, resident and nonresident, filing application for examination or reexamination, each classification of examination 5.00~~~~"(12) Surplus line broker license, each license year 26.00~~~~"(10) Surplus line broker license, each license year 50.00~~~~"(13) (11) Adjusters:~~~~"a. License 26.00 40.00~~~~"b. Annual continuation of licenses 26.00 40.00~~~~"(14) (12) Miscellaneous services:~~~~"a. For copies of documents, records on file in insurance department, per page50 1.00~~~~"b. For each certificate of the commissioner under his seal, other than agent licenses 1.00 5.00~~~~"(15) (13) The commissioner is hereby authorized and directed to collect a fee of \$5.00 \$25.00 when, in acting as agent or attorney for any insurance company, fraternal benefit society, mutual aid association or credit union, he accepts the service of legal process as provided by the laws of this state. He shall refuse to receive and file or serve any process unless such process is accompanied by the aforementioned fee, which shall be taxed as costs in the action.~~~~"(b) The commissioner shall promptly pay all fees and licenses collected under this section into the state treasury to the credit of the general fund.~~~~"§27-7-7.~~~~"(a) The commissioner shall not issue any license except upon application therefor as in this chapter provided. Each applicant for a license shall file annually with the commissioner his written application therefor signed by him and showing:~~~~"(1) His name, age and place of residence;~~~~"(2) The kinds of insurance to be transacted under the license and the insurer or insurers he proposes so to represent;~~~~"(3) The person, firm or corporation by whom he expects to be employed or associated with as such licensee and his status as an officer or representative thereof;~~~~"(4) Whether he proposes to write or solicit insurance of his own risks and interests, or those of his relatives, any firm or corporation in which he is financially interested or connected, directly or indirectly, or of his employer;~~~~"(5) A short business history of the applicant and the name and nature of any business enterprise with which he may be associated;~~

“(6) The extent of his formal education and business experience or apprenticeship;

“(7) Whether he has ever applied previously for a license or been licensed to transact any kind of insurance business in this state or elsewhere and whether any such license was ever refused, suspended or revoked;

“(8) Whether any insurer or managing general agent claims that he is in default as to premiums or other moneys collected and not accounted for and, if so, the details thereof and like information as to any member of his family who is then, or has theretofore been, engaged in the insurance business; and

“(9) Any additional information reasonably required by the commissioner.

“Additional licenses shall require the applicant’s full name, residence, age, place of business and certification whether he has had a license to solicit insurance contracts refused, suspended, or revoked since his last annual license; whether applicant has had any agency contract cancelled and, if so, when, by what insurer and the reason for the cancellation; and whether the applicant has been convicted of a felony since his last annual license.

“(b) If the applicant for an agent’s or broker’s license is a partnership or corporation, the application shall show, in addition, names of every member of the partnership and every officer, director, stockholder and employee of the corporation personally engaged in this state in soliciting or negotiating policies of insurance. Each such member, officer, director, stockholder or employee shall furnish information with respect to himself as part of the application, as though for an individual license, and shall otherwise meet the requirements for an individual license.

“(c) Partnerships and corporations shall file their organizational documents with the commissioner, accompanied by an initial filing fee of \$50.00. The license shall continue in effect, subject to an annual fee of \$50.00, unless cancelled, suspended or revoked. Each partnership and corporation shall file with the commissioner any change in its organization accompanied by a fee in the amount of ~~\$5.00~~ \$10.00.

“(d) At the time of filing his original application for license, the applicant shall pay to the commissioner the application fee and the fees for any examinations required under section 27-7-10 as specified in section 27-4-2. Such fees shall not be returnable. Appointment fees, as required in section 27-4-2, shall be paid as to each individual included in the application for a partnership or corporation license.

“(e) If the commissioner has contracted with a qualified testing institution as provided for in section 27-7-11 (c), fees approved for such services by the commissioner may, at the commissioner’s discretion, be paid directly to such testing institution and such fee shall be in lieu of but not in excess of the fees for the examination required under section 27-7-10 as specified in section 27-4-2.

“§27-8-5.

“(a) The commissioner shall not issue any license except upon application therefor as provided in this section. Each applicant for a license as

an agent or broker shall file annually with the commissioner his written application therefor signed by him, verified by his oath and showing:

“(1) Applicant’s full name, residence, age, occupation and place of business for five years next preceding the date of the application;

“(2) Whether applicant has ever held a license to solicit insurance contracts in any state;

“(3) Whether applicant has ever been refused or has had suspended or revoked any license to solicit insurance contracts in any state;

“(4) What insurance experience, if any, he has had;

“(5) What instruction in insurance and in the insurance laws of this state he has had or expects to have;

“(6) Whether any insurer claims that applicant is indebted to the insurer under any agency contracts or otherwise and, if so, the name of the claimant, nature of the claim and applicant’s defense thereto;

“(7) Whether applicant has had any agency contract cancelled and, if so, when, by what insurer and the reason for the cancellation;

“(8) Whether applicant will devote all, or part of, his efforts to acting as an insurance agent and, if part time only, how much time he expects to devote to work as an agent or broker and in what other business, or businesses, he is engaged or employed;

“(9) Whether, if applicant is married, the spouse has ever applied for or held a license to solicit insurance in any state and whether any such license has ever been refused, suspended or revoked; and

“(10) Such other information as the commissioner may reasonably require.

“Additional licenses shall require the applicant’s full name, residence, age, place of business and certification whether he has had a license to solicit insurance contracts refused, suspended, or revoked since his last annual license; whether applicant has had any agency contract cancelled and, if so, when, by what insurer and the reason for the cancellation; and whether the applicant has been convicted of a felony since his last annual license.

“(b) The application for an agent’s license shall be accompanied by a certificate on forms furnished by the commissioner and signed by an officer or duly authorized representative of the insurer stating, if true, that the insurer has investigated the character and background of the applicant and is satisfied that he is trustworthy and qualified to act as its agent and to hold himself out in good faith to the general public as an agent and that the insurer desires that the applicant be licensed as an agent of the insurer as defined in subsection (a) of section 27-8-1.

“(c) If the applicant for an agent’s or broker’s license is a partnership or corporation, the application shall show, in addition, names of every member of the partnership and every officer, director, stockholder and employee of the corporation personally engaged in this state in soliciting or negotiating policies of insurance. Each such member, officer, director, stockholder or employee shall furnish information with respect to himself as part of the application, as though for an individual license, and shall otherwise meet the requirements for an individual license.

“(d) Partnerships and corporations shall file their organizational documents with the commissioner accompanied by an initial filing fee of ~~\$25.00~~ \$50.00. The license shall continue in effect, subject to an annual fee of ~~\$25.00~~ \$50.00, unless cancelled, suspended or revoked. Each partnership and corporation shall file with the commissioner any change in its organization accompanied by a fee in the amount of ~~\$5.00~~ \$10.00.

“(e) When filed, the application shall be accompanied by the examination filing fee specified in section 27-4-2 if the applicant is subject to an examination under this chapter. Any such fee shall not be subject to refund, whether or not the applicant in fact takes an examination. An additional license fee shall be paid as to each individual included in the application for a partnership or corporation license.

“(f) Prior to issuance of a license as an insurance broker, the applicant shall file with the commissioner and, thereafter for as long as the license remains in effect, shall keep in force a bond in the penal sum of not less than \$20,000.00 with an authorized corporate surety approved by the commissioner. The aggregate liability of the surety for any and all claims on any such bond shall in no event exceed the penal sum thereof. No such bond shall be terminated unless at least 30 days' prior written notice thereof is given by the surety to the licensee and the commissioner. Upon termination of the license for which the bond was in effect, the commissioner shall notify the surety within 10 working days.

“(g) All surety protection under this section is to inure to the benefit of the aggrieved parties.

“§27-39-6.

“(a) Within 30 days after January 1, 1972, every automobile club or association organized and/or operating in the state of Alabama shall file with the commissioner an application for a certificate of authority to continue said operations within the state, and every automobile club or association desiring to commence operations within the state shall, prior to the commencement of said operation, file application with and receive a certificate of authority from the commissioner. No certificate of authority shall be issued until the automobile club or association has paid to the commissioner ~~\$200.00~~ \$250.00 as an annual license fee, which fee shall not be returnable. Licenses shall be issued for the period beginning January 1 of each year and shall expire on the following December 31. The commissioner shall deposit all fees collected in the state treasury to the credit of the general fund.

“(b) The following documents and information shall be filed with the application of all such clubs and associations:

“(1) The sum of \$25,000.00 in cash or securities, as approved by the commissioner and deposited in trust with the state treasurer or, in lieu thereof, a surety bond payable to the commissioner in the amount of \$25,000.00 of a surety company authorized to do business in this state, conditioned upon the full compliance with this chapter and the faithful performance of the obligations of such club or association to its members. The bonds shall be approved by the commissioner and shall not be cancelled without 30 days' notice to the commissioner. If such bond is filed, any person defrauded or injured by any wrongful act, misrepresentation or failure on the part of a motor club with respect to selling or rendering of any service may maintain an action on such bond in his own name. Upon receipt of notice of the

intended dissolution of such automobile club or association and upon receipt of notice of evidence satisfactory to the commissioner that all obligations of the club or association to its members and creditors have been satisfied, the state treasurer, upon written authorization from the commissioner, shall refund said money or securities and the obligations of said bond shall terminate;

“(2) Appointment of an agent for service of process who shall be a resident of the state of Alabama or, in lieu thereof, the commissioner; and

“(3) A copy of the proposed form of membership application, membership certificate, bylaws, contracts for service and any other material, including advertising matter, requested by the commissioner.

“(c) If the commissioner shall be satisfied that the applicant is competent and trustworthy and possesses the professional ability to perform the services and that he meets all the requirements of this chapter, he shall issue to the applicant a certificate of authority to conduct the business of such automobile club or association within this state.”

Section 2. It is the legislative intent that nothing in this act shall be construed to affect the Special Examination Revolving Fund, as provided for in Section 27-2-25, Code of Alabama 1975, or the State Fire Marshal's Fund, as provided for in Section 24-5-10, Code of Alabama 1975.

Section 3. This act shall become effective October 1, 1988.

Which was adopted.

Yeas 31; Nays 0.

Yeas:

Senators:	Campbell	Ellis	Langford	
Amari	Corbett	Figures	Manley	
Bailey	Covington	Foshee	Menton	
Barron	deGraffenried	Goodwin	Mitchem	
Bedford	Denton	Hale	Parsons	
Bennett	Dial	Hand	Preuitt	
Bishop	Dixon	Holmes	Rice	
Cabaniss	Drinkard	Horn	Sanders	—31

Nays: —0

And said Bill, H. B. 310, as thus amended by the substitute, was read a third time at length and passed.

Yeas 30; Nays 1.

Yeas:

Senators:	Campbell	Goodwin	Mitchem	
Amari	deGraffenried	Hale	Parsons	
Bailey	Denton	Hand	Preuitt	
Barron	Dial	Holmes	Rice	
Bedford	Dixon	Horn	Sanders	
Bedsole	Drinkard	Langford	Smith (B)	
Bennett	Ellis	Manley	Smith (J)	
Cabaniss	Figures	Menton		—30

Nay: Senator Bishop —1

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill:

H. 6. Relating to elections; to define the meaning of terms used in this act; to provide for the designation and organization of a principal campaign committee by each candidate for election to state or local office; to designate the Secretary of State and the Judge of Probate as the recipients of reports and statements required to be filed by this act; to provide for the registration of political committees, including the principal campaign committee of each candidate; to provide for the reporting of contributions received and expenditures made by political committees; to provide for the designation of campaign depositories; to delineate the duties of the Secretary of State and Judge of Probate; to provide for the disbursement of campaign contributions in excess of expenditures; to provide for proper identification of campaign advertising; to prohibit the intimidation of voters, certain expenditures to influence voting, the publication or distribution of certain political statements, contributions in the name of another, fraudulent misrepresentations of campaign authority, and coercion of contributions; to provide penalties for the violation of the provisions of this act; to require that certificates of election be withheld under certain circumstances; and to repeal chapter 22 of Title 17 of the Code of Alabama 1975.

said Conference Report being in words and figures as follows:

REPORT OF CONFERENCE COMMITTEE ON H. B. 6

We, the Committee on Conference, appointed to reconcile the differences of the two houses concerning House Bill 6, have met in conference and have agreed to accept the attached substitute which is made a part of this report as is fully set out herein.

JAMES M. CAMPBELL,
WILLIAM P. FULLER, JR.,
JIMMY W. HOLLEY,

Conferees on the Part of the House.

JIM BENNETT,
BILL DRINKARD,
RYAN deGRAFFENRIED, JR.,
Conferees on the Part of the Senate.

CONFERENCE COMMITTEE SUBSTITUTE FOR H. B. 6

**A BILL
TO BE ENTITLED
AN ACT**

Relating to elections; to define the meaning of terms used in this act; to provide for the designation and organization of a principal campaign committee by each candidate for election to state or local office; to designate the Secretary of State and the Judge of Probate as the recipients of reports and statements required to be filed by this act; to provide for the registration of political committees, including the principal campaign committee of each

candidate; to provide for the reporting of contributions received and expenditures made by political committees; to provide for the designation of campaign depositories; to delineate the duties of the Secretary of State and Judge of Probate; to provide for the disbursement of campaign contributions in excess of expenditures; to provide for proper identification of campaign advertising; to prohibit the intimidation of voters, certain expenditures to influence voting, the publication or distribution of certain political statements, contributions in the name of another, fraudulent misrepresentations of campaign authority, and coercion of contributions; to provide penalties for the violation of the provisions of this act; to require that certificates of election be withheld under certain circumstances; to repeal chapter 22 of Title 17 of the Code of Alabama 1975; and to provide certain retroactive effect.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. This act shall be known and may be cited as the Fair Campaign Practices Act.

Section 2. For purposes of this act, unless a different meaning clearly appears in the context, the following terms shall have the meanings ascribed in this section:

(1) **CANDIDATE.** An individual who has:

(a) Taken the action necessary under the laws of the state to qualify himself or herself for nomination or for election to any state office or local office or in the case of an independent seeking ballot access, on the date when he or she files a petition with the probate judge in the case of county offices or the secretary of state in all other cases; or

(b) Received contributions or made expenditures, or given his or her consent for any other person or persons to receive contributions or make expenditures, with a view to bringing about his or her nomination or election to any state office or local office. Provided, however, that no person shall be considered a candidate within the meaning of this subdivision until such time as he or she has either received contributions or expenditures as provided herein in the following amounts:

1. \$10,000 or more, with a view toward bringing about nomination or election to any state office other than one filled by election of the registered voters of any circuit or district within the state;

2. \$3,000 or more, with a view toward bringing about nomination or election to any state office filled by election of the registered voters of any circuit or district; and

3. \$1,000 or more, with a view toward bringing about nomination or election to any local office.

(2) **CONTRIBUTION.**

(a) The following shall be considered contributions:

1. A gift, subscription, loan, advance, deposit of money or anything of value, a payment, a forgiveness of a loan, or payment of a third party, made for the purpose of influencing the result of an election;

2. A contract or agreement to make a gift, subscription, loan, advance, or deposit of money or anything of value for the purpose of influencing the result of an election;

3. Any transfer of anything of value received by a political committee from another political committee, political party or other source; or

4. The payment of compensation by any person for the personal services or expenses of any other person if such services are rendered or expenses incurred on behalf of a candidate, political committee or political party without payment of full and adequate compensation by such candidate, political committee or political party. Provided, however, that the payment of compensation by a corporation for the purpose of establishing, administering or soliciting voluntary contributions to a separate, segregated fund as permitted by Section 10-1-2, Code of Alabama 1975, shall not constitute a contribution.

(b) The term "contribution" does not include:

1. The value of services provided without compensation by individuals who volunteer a portion or all of their time on behalf of a candidate or political committee;

2. The use of real or personal property and the cost of invitations, food or beverages, voluntarily provided by an individual to a candidate or political committee in rendering voluntary personal services on the individual's residential or business premises for election-related activities;

3. The sale of any food or beverage by a vendor for use in an election campaign at a charge to a candidate or political committee less than the normal comparable charge, if such charge to the political committee for use in an election campaign is at least equal to the cost of such food or beverage to the vendor;

4. Any unreimbursed payment for travel expenses made by an individual who on his or her own behalf volunteers personal services to a candidate or political committee; or

5. The payment by a state or local committee of a political party of the cost of preparation, display, or mailing or other distribution incurred by such committee with respect to a printed slate card or sample ballot, or other printed listing of two or more candidates for any public office for which an election is held in the state, except that this subparagraph shall not apply in the case of costs incurred by such committee with respect to a display of any such listing made on broadcasting stations, or in newspapers, magazines, or other similar types of general public political advertising.

6. The value or cost of polling data and voter preference data and information if provided to a candidate or political committee, unless such information was compiled with the advance knowledge of and approval of the candidate or the political committee.

(3) ELECTION. Unless otherwise specified, any general, special, primary or runoff election, or any convention or caucus of a political party held to nominate a candidate, or any election at which a constitutional amendment or other proposition is submitted to the popular vote.

(4) EXPENDITURE.

(a) The following shall be considered expenditures:

1. A purchase, payment, distribution, loan, advance, deposit, or gift of money or anything of value, made for the purpose of influencing the result of an election;

2. A contract or agreement to make any purchase, payment, distribution, loan, advance, deposit, or gift of money or anything of value, for the purpose of influencing the result of an election; or

3. The transfer, gift or contribution of funds of a political committee to another political committee.

(b) The term "expenditure" does not include:

1. Any news story, commentary, or editorial prepared by and distributed through the facilities of any broadcasting station, newspaper, magazine, or other periodical publication, unless such facilities are owned or controlled by any political party or political committee;

2. Nonpartisan activity designed to encourage individuals to register to vote, or to vote;

3. Any communication by any membership organization to its members or by a corporation to its stockholders and employees if such membership organization or corporation is not organized primarily for the purpose of influencing the result of an election;

4. The use of real or personal property and the cost of invitations, food or beverages, voluntarily provided by an individual in rendering voluntary personal services on the individual's residential or business premises for election-related activities;

5. Any unreimbursed payment for travel expenses made by an individual who, on his or her own behalf, volunteers personal services to a candidate or political committee;

6. Any communication by any person which is not made for the purposes of influencing the result of an election; or

7. The payment by a state or local committee of a political party of the cost of preparation, display, or mailing or other distribution incurred by such committee with respect to a printed slate card or sample ballot, or other printed listing of two or more candidates for any public office for which an election is held in the state, except that this subparagraph shall not apply in the case of costs incurred by such committee with respect to a display of any such listing made on broadcasting stations, or in newspapers, magazines, or other similar types of general public political advertising.

(5) IDENTIFICATION. The full name and complete address.

(6) LOAN. A transfer of money, property, or anything of value in consideration of a promise or obligation, conditional or not, to repay in whole or part.

(7) LOCAL OFFICE. Any office under the constitution and laws of the state, except circuit, district or legislative offices, filled by election of the registered voters of a single county or municipality, or by the voters of a division contained within a county or municipality.

(8) PERSON. An individual, partnership, committee, association, corporation, labor organization, or any other organization or group of persons.

(9) POLITICAL COMMITTEE. Any political committee, club, association, principal campaign committee, political party, or other group of one or more persons which receives or anticipates receiving contributions or makes or anticipates making expenditures to or on behalf of any elected

official, proposition, candidate, principal campaign committee or other political committee. For the purposes of this act an individual who makes a personal political contribution (other than a candidate who makes a contribution to himself), shall not be considered a political committee.

(10) **PRINCIPAL CAMPAIGN COMMITTEE.** The principal campaign committee designated by a candidate under Section 4 of this act. A political committee established primarily to benefit an individual candidate or an individual elected official shall be considered a principal campaign committee for purposes of this act.

(11) **PROPOSITION.** Any proposal for submission to the general public for its approval or rejection, including proposed as well as qualified ballot questions.

(12) **STATE.** The State of Alabama.

(13) **STATE OFFICE.** All offices under the constitution and laws of the state filled by election of the registered voters of the state of any circuit or district and shall include legislative offices.

Section 3. (1) Every political committee shall have a chairman and a treasurer.

(2) All funds of a political committee shall be segregated from, and shall not be commingled with, any personal funds of officers, members, or associates of such committee.

(3) It shall be the duty of the treasurer of a political committee to keep a detailed, exact account of:

(a) All contributions made to or for such committee;

(b) All expenditures made by or on behalf of such committee; and

(c) The identification of every person to whom an expenditure is made, the date and amount thereof, and the name of each candidate on whose behalf such expenditure was made or a designation of the election proposition the result of which the political committee will attempt to influence by making expenditures or receiving contributions.

(4) It shall be the duty of the treasurer to obtain and keep a receipted bill or cancelled check, stating the particulars for every expenditure made by or on behalf of a political committee greater than \$100, and for any such expenditure in a lesser amount, if the aggregate amount of such expenditures to the same person during a calendar year is greater than \$100. Provided, however, the treasurer of a political committee other than a principal campaign committee shall not be required under this act to report any expenditure not related to political contributions or expenditures or made as an administrative expense. The treasurer shall preserve all receipted bills and accounts required to be kept by this section for a period of two years from the date of any such expenditure.

Section 4. Within five days after any person becomes a candidate for office, such person shall file with the Secretary of State or Judge of Probate, as provided in Section 9 of this act, a statement showing the name of not less than two nor more than five persons elected to serve as the principal campaign committee for such candidate, together with a written acceptance or consent by such committee, but any candidate may declare himself or herself as the person chosen to serve as the principal campaign committee,

in which case such candidate shall perform the duties of chairman and treasurer of such committee prescribed by this act. If any vacancies be created by death or resignation or any other cause, such candidate may fill such vacancy, or the remaining members shall discharge and complete the duties required of such committee as if such vacancy had not been created. The principal campaign committee, or its treasurer, shall have exclusive custody of all moneys contributed, donated, subscribed or in any manner furnished to or for the candidate represented by such committee, and shall account for and disburse the same. No candidate shall expend any money in aid of his or her nomination or election except by contributing to the principal campaign committee designated by the candidate as aforesaid.

Section 5. (1) Each political committee, other than a principal campaign committee, which anticipates either receiving contributions or making expenditures during the calendar year in an aggregate amount exceeding \$1,000 shall file with the Secretary of State or the Judge of Probate as herein provided in Section 9, a statement of organization, within ten days after its organization or, if later, within ten days after the date on which it has information which causes the committee to anticipate it will receive contributions or make expenditures in an aggregate amount in excess of \$1,000. Each such committee in existence at the date of enactment of this act shall file a statement of organization within sixty days after the effective date of this act.

(2) The statement of organization shall include:

- (a) The name and complete address of the committee;
- (b) The identification of affiliated or connected organizations, if any;
- (c) The purposes of the committee;
- (d) The identification of the chairman and treasurer;
- (e) The identification of principal officers, including members of any finance committee;
- (f) A description of the constitutional amendments or other propositions, if any, that the committee is supporting or opposing, and the identity, if known, of any candidate or elected official that the committee is supporting or opposing;
- (g) A statement whether the committee is a continuing one, and if not, the expected termination or dissolution date; and
- (h) The disposition of residual funds which will be made in the event of dissolution.

(3) Any material change in information previously submitted in a statement of organization, except for the information described in subsection (f) above, shall be reported to the Secretary of State or Judge of Probate as provided in Section 9, within ten days following the change.

(4) A political committee, including a principal campaign committee, after having filed its initial statement of organization, shall continue in existence until terminated or dissolved as provided herein. When any political committee other than a principal campaign committee determines it will no longer receive contributions or make expenditures during any calendar year in an aggregate amount exceeding \$1,000, or when any candidate through his or her principal campaign committee determines that he or she will not

receive contributions or make expenditures in the amounts specified in Section 2(1)b of this act, the chairman or treasurer of such political committee may so notify the Secretary of State or Judge of Probate, as designated in Section 9 of this act, of the termination or dissolution of such political committee. Such notice shall contain a statement by the treasurer of such committee of the intended disposition of any residual funds then held by the committee on behalf of a candidate.

Section 6. A political committee shall maintain a checking account and shall deposit any contributions received by such committee into such account. No expenditure of funds may be made by any such committee except by check drawn on such account, or out of a petty cash fund from which it may make expenditures not in excess of \$100 to any person in connection with a single purchase or transaction.

Section 7. Amounts received by a principal campaign committee as contributions that are in excess of any amount necessary to defray expenditures of the candidate represented by such committee, may be used by such candidate to defray any ordinary and necessary expenses incurred by him or her in connection with his or her duties as a holder of office, may be contributed by him or her to any organization described in section 170(c) of Title 26 of the U.S. Code, may be transferred to another political committee or may be used for any other lawful purpose.

Section 8. (1) The treasurer of each principal campaign committee or other political committee shall file with the Secretary of State or Judge of Probate, as designated in Section 9 of this act, reports of contributions and expenditures at the following times in any year in which an election is held:

(a) Forty-five days before and between ten and five days before the date of any election for which a political committee receives contributions or makes expenditures with a view toward influencing such election's result;

(b) Provided, however, that a report shall not be required except between five and ten days before a run-off election.

(2) All candidates, political committees, and elected state and local officials covered under the provisions of this act, shall annually file with the Secretary of State or Judge of Probate, as designated in Section 9 of this act, reports of contributions and expenditures made during that year. The annual reports required under this subsection shall be made on or before January 31 of the succeeding year.

(3) Each report under this section shall disclose:

(a) The amount of cash or other assets on hand at the beginning of the reporting period; provided, however, that the initial report required by this act shall include cash and assets acquired from the date of July 1, 1988, and forward until the end of that reporting period and disbursements made from same;

(b) The identification of each person who has made contributions to such committee or candidate within the calendar year in an aggregate amount greater than \$100, together with the amount and date of all such contributions; provided, however, in the case of a political committee, other than a principal campaign committee, identification shall mean the name and city of residence of each person who has made contributions within the calendar year in an aggregate amount greater than \$100;

(c) The total amount of other contributions received during the calendar year but not reported under subsection (3) (b) of this section;

(d) Each loan to or from any person within the calendar year in an aggregate amount greater than \$100, together with the identification of the lender, the identification of the endorers, or guarantors, if any, and the date and amount of such loans;

(e) The total amount of receipts from any other source during such calendar year;

(f) The grand total of all receipts by or for such committee during the calendar year;

(g) The identification of each person to whom expenditures have been made by or on behalf of such committee or elected official within the calendar year in an aggregate amount greater than \$100, the amount, date, and purpose of each such expenditure, and, if applicable, the designation of each constitutional amendment or other proposition with respect to which an expenditure was made;

(h) The identification of each person to whom an expenditure for personal services, salaries, and reimbursed expenses greater than \$100 has been made, and which is not otherwise reported or exempted from the provisions of this act, including the amount, date and purpose of such expenditure;

(i) The grand total of all expenditures made by such committee or elected official during the calendar year; and

(j) The amount and nature of debts and obligations owed by or to the committee or elected official, together with a statement as to the circumstances and conditions under which any such debt or obligation was extinguished and the consideration therefor.

(4) Each report required by this section shall be signed and filed by the elected official or on behalf of the political committee by its chairman or treasurer and, if filed on behalf of a principal campaign committee, by the candidate represented by such committee. There shall be attached to each such report an affidavit subscribed and sworn to by the official or chairman or treasurer and, if filed by principal campaign committee, the candidate represented by such committee, setting forth in substance that such report is to the best of his or her knowledge and belief in all respects true and complete, and, if made by a candidate, that he or she has not received any contributions or made any expenditures which are not set forth and covered by such report.

Section 9. (1) All statements and reports required of principal campaign committees under the provisions of this act shall be filed with the Secretary of State in the case of candidates for state office or state elected officials, and in the case of candidates for local office or local elected officials, with the Judge of Probate of the county in which the office is sought.

(2) Political committees, except principal campaign committees, which seek to influence an election for local office or to influence a proposition regarding a single county, shall file all reports and statements with the Judge of Probate of the county affected. All other political committees, except as provided in subsection (1) above, shall file reports and statements with the Secretary of State.

Section 10. (1) A copy of each report shall be preserved for public inspection by the Secretary of State or Probate Judge, whichever is applicable.

(2) The date of filing of a report or statement filed pursuant to this act shall be deemed to be the date of receipt by the Secretary of State or Judge of Probate, as the case may be; provided, that any report or statement filed by certified or registered mail shall be deemed to be filed in a timely fashion if the date of the United States postmark stamped on such report or statement is at least two days prior to the required filing date, and if such report or statement is properly addressed with postage prepaid.

Section 11. The Secretary of State and the Judge of Probate shall have the following duties:

(1) To accept and file all reports and statements required by the provisions of this act to be filed with them and to accept any information voluntarily supplied that exceeds the requirements of this act;

(2) To make each statement and report filed by a principal campaign committee or other political committee or elected official available for public inspection and copying during regular office hours, any such copying to be at the expense of the person making copies; except that any information copied from such reports or statements may not be sold or used by any political party or any political committee for the purpose of soliciting contributions or for commercial purposes, without the express written permission of the candidate or political committee reporting such information.

(3) To furnish any forms to be used in complying with the provisions of this act. The expenses incurred by the Secretary of State in furnishing forms, accepting statements and reports, filing statements and reports, and making such statements and reports available to the public shall be paid from moneys designated to the Distribution of Public Documents.

Section 12. Any paid political advertisement appearing in any print media or broadcast on any electronic media shall be clearly identified or marked as a paid advertisement. It shall be unlawful for any person, candidate, principal campaign committee or other political committee to broadcast, publish or circulate any campaign literature or political advertisement, without a notice appearing on the face or front page of any printed matter, or broadcast at the beginning or end of a radio or television spot, stating that the communication was a paid advertisement and giving the identification of the person, principal campaign committee or other political committee that paid for or otherwise authorized such communication.

Section 13. It shall be unlawful for any person, candidate, principal campaign committee, or other political committee to publish or distribute or display, or cause to be published or distributed or displayed, any card, pamphlet, circular, poster, or other printed material relating to or concerning any election, which does not contain the identification of the person, candidate, principal campaign committee, or other political committee responsible for the publication or distribution or display of the same.

Section 14. Notwithstanding any other provisions of this act or any other laws or parts of laws, a political committee may be established by a corporation.

Section 15. Notwithstanding any provision of this act to the contrary, political committees qualified with the Federal Election Commission established under 2 U.S.C. 437 shall file a copy of any report filed with the

Federal Election Commission with the Secretary of State and such filing shall constitute compliance with the reporting requirements of this act.

Section 16. It shall be unlawful for any person to obstruct, intimidate, threaten or coerce any other person for the purpose of interfering with the right of such other person to vote or to vote as he or she may choose, or for the purpose of causing such other person to vote for, or not to vote for, any candidate for state or local office or any other proposition at any election.

Section 17. It shall be unlawful for any person to pay or offer to pay, or for any person to accept such payment, either to vote or withhold his or her vote, or to vote for or against any candidate.

Section 18. It shall be unlawful for any person to make a contribution in the name of another person, or knowingly permit his or her name to be used to effect such a contribution made by one person in the name of another person, or for any candidate or political committee to knowingly accept a contribution made by one person in the name of another person; provided, however, that nothing in this act would prohibit any person from soliciting and receiving contributions from other persons for the purpose of making expenditures to a candidate, political committee, or elected state or local official required to file reports pursuant to Section 8 of this act.

Section 19. It shall be unlawful for any person to fraudulently misrepresent himself or herself, or any other person or organization with which he or she is affiliated, as speaking or writing or otherwise acting for or on behalf of any candidate, political committee or political party, or agent or employee thereof, in a manner which is damaging or is intended to be damaging to such other candidate, political committee or political party.

Section 20. It shall be unlawful for any person or any political committee established pursuant to this act or for any person acting on behalf of such person or committee, to solicit or secure any money or anything of value by physical force, job discrimination or financial reprisals, or by threats thereof or by the imposition of dues, fees, or other moneys required as a condition of employment.

Section 21. A certificate of election or nomination shall not be issued to any person elected or nominated to state or local office who shall fail to file any statement or report required by this act. A certificate of election or nomination already issued to any person elected or nominated to state or county office who fails to file any statement or report required by this act shall be revoked.

Section 22. (1) A person who violates any provision of this act other than a reporting requirement under Sections 4, 5 and 8 is guilty of a Class A misdemeanor and subject to a fine of not more than \$2,000, or imprisonment of not more than one year, or both such fine and imprisonment.

(2) A person who violates any reporting requirement of Sections 4, 5 and 8 is guilty of a Class B misdemeanor, and subject to a fine of \$1,000 or an amount not to exceed double the amount or value of the contributions or expenditures not reported, whichever is greater, or imprisonment of not more than six months, or both such fine and imprisonment; provided, however, that this subsection shall not apply to contributions received or to expenditures made before the effective date of this act.

(3) The Attorney General may prosecute for violations of this act. Venue for cases involving violations of this act shall be in the county in which the

alleged violator resides. No prosecution for violation of this act shall be commenced later than two years after the date of violation.

Section 23. It is the intention of the Legislature by the passage of this act that its provisions be construed in *pari materia* with other laws regulating political contributions, corporations, or political contributions by corporations.

Section 24. Chapter 22 of Title 17 of the Code of Alabama 1975 and all laws and parts of laws in conflict herewith are hereby repealed.

Section 25. The invalidity of any one or more of the provisions of this act shall not affect the remaining portions of this act, and in the event that one or more provisions of this act should be held invalid, this act shall be construed as if such invalid provision had not been included herein.

Section 26. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law; provided, however, the reporting requirements provided for in this act shall have retroactive effect to July 1, 1988.

And said Bill, H. B. 6, as thus amended by the Report of the Committee on Conference was again read and passed.

And said Bill, H. B. 6, together with the Report of the Committee on Conference, is herewith sent to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE AND CONFERENCE MESSAGE

On motion of Senator Bennett, the Senate concurred in and adopted the Report of the Committee on Conference appointed to reconcile the disagreement of the two Houses on the Senate amendment to the Bill, H. B. 6, the title of which and said Conference Report are set out in the foregoing Message from the House.

Yeas 33; Nays 0.

Yeas:

Senators:	Campbell	Figures	Manley
Amari	Corbett	Foshee	Menton
Bailey	Covington	Goodwin	Mitchem
Barron	deGraffenried	Hale	Parsons
Bedford	Denton	Hand	Preuitt
Bedsole	Dial	Holmes	Rice
Bennett	Dixon	Horn	Smith (B)
Bishop	Drinkard	Langford	Smith (J)
Cabaniss	Ellis		

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Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. Cosby and Harper:

H. J. R. 199. REQUESTING THE HOUSE WAYS AND MEANS COMMITTEE, THE SENATE FINANCE AND TAXATION COMMITTEE AND THE CONTINUING JOINT INTERIM COMMITTEE ON

TAX STRUCTURE TO HOLD PUBLIC HEARINGS RELATING TO TAX REFORM.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby urge that the House of Representatives Ways and Means Committee, the Senate Finance and Taxation Committee and the Continuing Joint Interim Committee on Tax Structure hold public hearings no later than 90 days prior to the convening of the 1989 Regular Session on the general subject of comprehensive tax reform, including, but not limited to ad valorem taxes, sales and use taxes, pari-mutuel taxes, income taxes, insurance premium taxes and oil and gas severance taxes. The committees shall also study and make recommendations concerning:

1. The methodology by which budgets are formulated in the Alabama Legislature and revenue forecasts are made.

2. The spending patterns that have evolved in state government over the past decade and any recommendations deemed appropriate for the future.

3. A comprehensive review of the tax system in Alabama including any recommendations for tax simplification, fairness and revenue needs for the future.

4. A comprehensive review of the overall operation of state government, designed to make recommendations to eliminate any waste, inefficiencies and mismanagements that might exist in any agency or department.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 199, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

BILLS ON THIRD READING RESUMED

Senator Parsons requested and received permission to suspend the Rules in order to bring up the Bill:

H. 95. To provide further a salary increase for certain state employees and to appropriate funds therefor for the fiscal year ending September 30, 1989.

And said Bill, H. B. 95, was read a third time at length and passed.

Yeas 34; Nays 0.

Yeas:

Senators:	Campbell	Figures	Menton
Amari	Corbett	Foshee	Mitchem
Bailey	Covington	Goodwin	Parsons
Barron	deGraffenried	Hale	Preuitt
Bedford	Denton	Hand	Rice
Bedsale	Dial	Holmes	Sanders
Bennett	Dixon	Horn	Smith (B)
Bishop	Drinkard	Langford	Smith (J)
Cabaniss	Ellis	Manley	

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Nays:

—0

SPECIAL ORDER

The Senate proceeded to consideration of the special, paramount, and continuing order of business for today, which was the Bill:

H. 27. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, for other functions of government, for interest on the public debt, and for capital outlay for the fiscal year ending September 30, 1989.

The Standing Committee on Finance and Taxation reported the following substitute for the Bill, H. B. 27, to-wit:

SUBSTITUTE FOR H. B. 27

**A BILL
TO BE ENTITLED
AN ACT**

To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, for other functions of government, for interest on the public debt, and for capital outlay for the fiscal year ending September 30, 1989.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

SECTION 1: The monies in Section 2 are appropriated from the named funds for the 1988-89 fiscal year to the state agency indicated, as the amounts to be used to pay the expenditures of the named agencies, and are in lieu of all monies appropriated for these purposes in other sections of the Alabama Statutes.

For the purpose of this Act, the amounts herein for expenditures are listed by programmatic area and the total for all programs are shown by the source of funds. It is intended that only the named funds be appropriated to the agency concerned; and that the following definitions shall be applicable:

(a) "Appropriation Total" shall mean the aggregate total of all fund sources.

(b) "Program" shall mean specific governmental services required to achieve a specific objective. A program shall be directed to meeting the need of an identified clientele, or group of recipients or beneficiaries.

(c) "Capital Outlay" shall mean expenditures which result in the acquisition and/or addition to items, such as land or buildings, which have an appreciable and calculable period of usefulness in excess of one year, and shall be expended only for such purposes.

(d) "Debt Service" shall mean an expenditure for the payment of interest and principal on all bonded debt obligations of the State, and shall be expended only for such purposes.

SECTION 2. There is hereby appropriated for the ordinary expenses of the executive, legislative, and judicial departments of the State, for other functions of government, for the principal and interest on the public debt, and for capital outlay for the fiscal year ending September 30, 1989, to be paid out of any monies hereinafter specified, from such other funds and accounts as may be designated, or so much thereof as may be necessary, and the total amount to be expended for the items for which the appropriation

is herein made shall not exceed the amount provided therefor, except as provided in the Budget Management Act of 1976, Sections 41-19-1 through 12, Code of Alabama 1975. Provided, however, that regardless of the ending date of any pay period which has been or may be established by the Legislature for the payment of salaries of state employees, the entire payment due shall be made from the fiscal year's appropriation in which the pay date falls.

Fund Sources Included In Appropriation Total		Appropriation Total
General Fund	Trust Fund	

2A. LEGISLATIVE:

1. EXAMINERS OF PUBLIC
ACCOUNTS, DEPARTMENT
OF:

(a) Legislative Support-Audit Services Program	8,425,687
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SOURCE OF FUNDS:

(1) State General Fund	8,225,687	
(2) Federal Funds		200,000

Total Department of Exam- iners of Public Accounts	8,225,687	200,000	8,425,687
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2. LAW INSTITUTE, ALABAMA:

(a) Support of Other Educational Activities Program	293,622
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SOURCE OF FUNDS:

(1) State General Fund	293,622
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Total Alabama Law Institute	293,622	293,622
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3. LEGISLATIVE COUNCIL:

(a) Legislative Operations and Support Program	212,200
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SOURCE OF FUNDS:

(1) State General Fund	212,200
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Pursuant to Section 29-6-
1 et seq., Code of Alabama
1975.

Total Legislative Council	212,200	212,200
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4. LEGISLATIVE FISCAL
OFFICE:

(a) Legislative Operations and Support Program (to include program review and evaluation)	948,809
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SOURCE OF FUNDS:

(1) State General Fund	948,809
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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
Total Legislative Fiscal Office		948,809		948,809
5.	LEGISLATIVE REFERENCE SERVICE:			
(a)	Legislative Operations and Support Program			1,094,243
SOURCE OF FUNDS:				
(1)	State General Fund	1,094,243		
Total Legislative Reference Service		1,094,243		1,094,243
6.	LEGISLATURE:			
(a)	Legislative Operations and Support Program			8,798,709
It is the intent of the Legisla- ture that (1) the above appro- priation shall include funds for the necessary technical ex- penses associated with reap- portionment, (2) that at least \$50,000 shall be allocated for the Senate Finance and Taxa- tion Committee, the Office of the Senate Pro Tempore and the Senate Rules Committee, and (3) that at least \$50,000 shall be allocated for the Ways and Means Committee, the House Rules Committee and the office of the Speaker of the House.				
The appropriation to the Leg- islature shall be expended un- der the provisions set forth in Section 29-1-22, <u>Code of Ala- bama 1975.</u>				
SOURCE OF FUNDS:				
(1)	State General Fund	8,798,709		
Total Legislature		8,798,709		8,798,709
7.	LEGISLATURES, NATIONAL CONFERENCE OF STATE:			
(a)	Legislative Operations and Support Program			72,667
SOURCE OF FUNDS:				
(1)	State General Fund	72,667		

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
Total National Conference of State Legislatures		72,667		72,667
2B. JUDICIAL:				
1. COURT OF CIVIL APPEALS:				
(a)	Court Operations Program			1,156,729
SOURCE OF FUNDS:				
(1)	State General Fund	1,156,729		
	Total Court of Civil Appeals ..	1,156,729		1,156,729
2. COURT OF CRIMINAL APPEALS:				
(a)	Court Operations Program			1,729,106
SOURCE OF FUNDS:				
(1)	State General Fund	1,729,106		
	Total Court of Criminal Appeals	1,729,106		1,729,106
3. JUDICIAL INQUIRY COMMISSION:				
(a)	Administrative Services Program			103,990
SOURCE OF FUNDS:				
(1)	State General Fund	103,990		
	Total Judicial Inquiry Commission	103,990		103,990
4. JUDICIAL RETIREMENT FUND:				
(a)	Retirement Systems Program			1,524,500
SOURCE OF FUNDS:				
(1)	State General Fund	1,524,500		
	Total Judicial Retirement Fund	1,524,500		1,524,500
5. SUPREME COURT:				
(a)	Court Operations Program			4,455,494
SOURCE OF FUNDS:				
(1)	State General Fund	4,455,494		
	Total Supreme Court	4,455,494		4,455,494

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
6.	UNIFIED JUDICIAL SYSTEM:			
	(Administrative Office of Courts)			
	(a) Court Operations Program			55,978,976
	(b) Administrative Services Program			3,400,000
	(c) DUI Referral Program			98,000
	(d) Fringe Benefit Program, Estimated			300,000
	SOURCE OF FUNDS:			
	(1) State General Fund	59,476,976		
	(2) State General Fund-Social Security-County Judicial, Estimated	300,000		
	Total Unified Judicial System	59,776,976		59,776,976
2C.	EXECUTIVE:			
1.	ACADEMY OF HONOR, ALABAMA:			
	(a) Historical Resources Manage- ment Program			3,315
	SOURCE OF FUNDS:			
	(1) State General Fund	3,315		
	As provided in Section 41- 11-6, <u>Code of Alabama</u> <u>1975</u> , and an additional amount.			
	Total Alabama Academy of Honor	3,315		3,315
2.	ACCOUNTANCY, ALABAMA STATE BOARD OF PUBLIC:			
	(a) Professional and Occupational Licensing and Regulation Program			341,699
	SOURCE OF FUNDS:			
	(1) Alabama State Board of Public Accountancy Fund		341,699	
	As provided in Section 34- 1-22, <u>Code of Alabama</u> <u>1975</u> . In addition to the amounts appropriated hereinabove to the State			

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
Board of Public Accountancy, there is hereby appropriated such an amount as may be necessary to pay the refund of any application for license which may have been rejected by the Board or withdrawn by request of applicant.				
Total Alabama State Board of Public Accountancy			341,699	341,699
3.	ADJUSTMENT, BOARD OF:			
(a)	Special Services Program			322,400
SOURCE OF FUNDS:				
(1)	State General Fund	11,200		
For the State General Fund Contribution to the total expenditure of \$750,000 pursuant to Section 41-9-73, <u>Code of Alabama 1975</u> .				
(2)	State General Fund, Estimated	300,000		
For expenditures as provided in Section 31-3-2 and Section 36-30-2, <u>Code of Alabama 1975</u> .				
(3)	State General Fund - Administrative Costs	11,200		
Total Board of Adjustment		322,400		322,400
4.	AERONAUTICS, DEPARTMENT OF:			
(a)	Airport Development and Aeronautical Support Program			867,986
SOURCE OF FUNDS:				
(1)	Airport Development Fund		867,986	
As provided by Section 4-2-42, <u>Code of Alabama 1975</u> .				
Total Department of Aeronautics			867,986	867,986

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
5.	AGING, COMMISSION ON:			
(a)	Planning and Advocacy for the Elderly Program			16,811,890
(b)	Medicaid Waiver Services Program			6,271,024
	SOURCE OF FUNDS:			
(1)	State General Fund - Transfer	1,445,701		
(2)	State General Fund - Transfer Medicaid Waiver	1,694,879		
(3)	Federal, Local and Miscel- laneous Funds		19,942,334	
Total Commission on Aging ..		3,140,580	19,942,334	23,082,914

The Commission on Aging shall contract with the existing Regional Planning Commissions or Councils of Local Governments and/or Area Agencies on Aging to provide services for one-third of the State's present and future client slots for the program known as the "Medicaid Waiver Services Program-Home and Community-Based Waiver for the Elderly and Disabled".

6.	AGRICULTURAL AND CONSERVATION DEVELOPMENT COMMISSION:			
(a)	Water Resource Development Program			1,219,926
	SOURCE OF FUNDS:			
(1)	State General Fund - Transfer	1,149,926		
(2)	Miscellaneous Funds		70,000	
	As provided in Section 9- 8A-4.1, <u>Code of Alabama</u> 1975.			
Total Agricultural and Conser- vation Development Commission		1,149,926	70,000	1,219,926

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
7.	AGRICULTURAL AND INDUSTRIAL EXHIBIT COMMISSION, ALABAMA:			
	(a) Agricultural Development Services Program			28,307
	SOURCE OF FUNDS:			
	(1) State General Fund	28,307		
	Total Alabama Agricultural and Industrial Exhibit Commission	28,307		28,307
8.	AGRICULTURAL CENTER BOARD:			
	(a) Agricultural Development Services Program			731,079
	SOURCE OF FUNDS:			
	(1) State General Fund	100,000		
	For expense and awarding of prizes for fairs as pro- vided in Section 2-7-21, Code of Alabama 1975.			
	(2) State General Fund - Transfer-Operations	98,813		
	(3) State General Fund - Transfer-Livestock Coliseum	247,456		
	(4) Livestock Coliseum Fund		284,810	
	Total Agricultural Center Board	446,269	284,810	731,079
9.	AGRICULTURE AND INDUSTRIES, DEPARTMENT OF:			
	(a) Administrative Services Program			1,782,511
	(b) Agricultural Inspection Ser- vices Program			10,862,702
	(c) Laboratory Analysis and Dis- ease Control Program			3,868,608
	(d) Agricultural Development Services Program			1,698,083
	SOURCE OF FUNDS:			
	(1) State General Fund - Transfer	7,400,000		

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
(2)	Federal, Local and Miscellaneous Funds		2,295,904	
(3)	Shipping Point Inspection Fund		4,228,805	
	Pursuant to Sections 2-9-20 et seq., <u>Code of Alabama 1975</u> . All fees and charges collected by the Commissioner of Agriculture and Industries and deposited into said fund, and such appropriation to the Department of Agriculture and Industries shall include all fees and charges collected and deposited therein for Shipping Point Inspection grading and classification services for agricultural products including services furnished for weighing and issuing weight certificates to be used for the sale of agricultural commodities.			
(4)	Agricultural Fund		4,287,195	
	Total Department of Agriculture and Industries	7,400,000	10,811,904	18,211,904
10.	ALABAMA TRUST FUND BOARD:			
(a)	Administrative Program			35,886
	SOURCE OF FUNDS:			
(1)	State General Fund - Transfer		35,886	
	Total Alabama Trust Fund Board	35,886		35,886
11.	ALCOHOLIC BEVERAGE CONTROL BOARD, ALABAMA:			
(a)	Alcoholic Beverage Management Program			21,402,603
(b)	Enforcement Program			5,886,000
(c)	Administrative Services Program			4,091,015

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Fund Sources Included
In Appropriation Total

General Fund	Trust Fund	Appropriation <u>Total</u>
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SOURCE OF FUNDS:

(1) ABC Board Fund 31,379,618

In addition to the above appropriations herein made, there is hereby appropriated for each additional retail store put into operation during the fiscal year, an amount equal to the sum required to install and operate the last comparable retail store put into operation by said Board provided, however, that the sum appropriated for the operation of retail stores as provided herein shall be reduced in like manner for each retail store closed or withdrawn from operation during the same period. There is further appropriated to the Alabama Alcoholic Beverage Control Board, after provision has been made for the other expenditures herein authorized, such sums as are or may be necessary to purchase the alcoholic beverages which are essential to maintain adequate stocks and inventory for an economic and successful sales operation. In addition to the above appropriation, it is further provided that, in the event any county or municipality of the State shall, during the fiscal period covered by this appropriation by proper referendum, authorize the legal sale of malt and brewed beverages within such county or municipality there is further appropriated, in addition to the amount herein set out, an amount comparable to that

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
expended during the prior fiscal year for beer and li- cense tax supervision within counties or munic- ipalities of similar size and population. Provided, fur- ther that the amount ap- propriated herein shall be reduced in like manner in the event any county or municipality wherein malt and brewed beverages are now authorized by law to be sold shall, during the fiscal period covered by this appropriation by proper referendum, de- clare unlawful the sale in such county or municipal- ity of such malt or brewed beverages.				
Total Alabama Alcoholic Bev- erage Control Board			31,379,618	31,379,618
12.	ARCHITECTS, BOARD FOR REGISTRATION OF:			
(a)	Professional and Occupational Licensing and Regulation Program			215,000
SOURCE OF FUNDS:				
(1)	Fund of the Board for Reg- istration of Architects		215,000	
As provided in Section 34- 2-41, <u>Code of Alabama</u> <u>1975.</u>				
Total Board for Registration of Architects			215,000	215,000
13.	ARCHIVES AND HISTORY, DEPARTMENT OF:			
(a)	Historical Resources Manage- ment Program			2,600,268
SOURCE OF FUNDS:				
(1)	State General Fund	2,479,898		
(2)	Federal Funds		120,370	
Total Department of Archives and History		2,479,898	120,370	2,600,268

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
14.	ATTORNEY GENERAL, OFFICE OF THE:			
(a)	Legal Advice and Legal Services Program			6,365,589
(b)	Fair Marketing Practices Program			605,000
	SOURCE OF FUNDS:			
(1)	State General Fund - Transfer	5,332,267		
(2)	State General Fund - Transfer - Consumer Protection	550,000		
(3)	Transfer from Department of Human Resources		404,099	
(4)	Federal, Local and Miscellaneous Funds		684,223	
	Total Office of the Attorney General	5,882,267	1,088,322	6,970,589
15.	AUDITOR, STATE:			
(a)	Fiscal Management Program			851,156
	SOURCE OF FUNDS:			
(1)	State General Fund	851,156		
	Total State Auditor	851,156		851,156
16.	BANKING DEPARTMENT, STATE:			
(a)	Charter, License and Regulate Financial Institutions Program			2,828,141
	SOURCE OF FUNDS:			
(1)	Banking Assessment Fees		2,522,441	
	As provided in Section 5-2A-20, <u>Code of Alabama 1975.</u>			
(2)	Loan Examination Fund		305,700	
	As provided in Section 5-2A-24, Section 5-16-38.1, and Section 5-18-5, <u>Code of Alabama 1975.</u>			
	Total State Banking Department		2,828,141	2,828,141

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
17.	BAR ASSOCIATION, ALABAMA STATE:			
	(a) Professional and Occupational Licensing and Regulation Program			1,321,875
	SOURCE OF FUNDS:			
	(1) State Bar Association Fund		1,186,220	
	As provided in Section 34- 3-4 and Section 34-3-44, Code of Alabama 1975.			
	(2) Local Funds, Estimated ... As provided in Sections 34- 3-44, 34-3-17 and 34-3-18, Code of Alabama 1975.		135,655	
	Total Alabama State Bar Association		1,321,875	1,321,875
18.	BEAR CREEK DEVELOPMENT AUTHORITY:			
	(a) Water Resource Development Program			44,535
	SOURCE OF FUNDS:			
	(1) State General Fund	44,535		
	Total Bear Creek Develop- ment Authority	44,535		44,535
19.	BUILDING COMMISSION, STATE:			
	(a) Special Services Program			1,193,405
	SOURCE OF FUNDS:			
	(1) State General Fund - Transfer	792,595		
	(2) Federal, Local and Miscel- laneous Funds		400,810	
	Total State Building Commission	792,595	400,810	1,193,405
20.	CAHAWBA ADVISORY COMMITTEE:			
	(a) Historical Resources Manage- ment Program			9,932
	SOURCE OF FUNDS:			
	(1) State General Fund	9,932		

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
Total Cahawba Advisory Committee		9,932		9,932
21.	CHILD ABUSE AND NEGLECT PREVENTION BOARD:			
(a)	Social Services Program			326,990
	In accordance with Sections 26- 16-1 et seq., <u>Code of Alabama</u> 1975.			
	SOURCE OF FUNDS:			
(1)	State General Fund - Transfer	150,081		
(2)	Children's Trust Fund, Estimated		176,909	
	Total Child Abuse and Neglect Prevention Board	150,081	176,909	326,990
22.	CHIROPRACTIC EXAMINERS, ALABAMA STATE BOARD OF:			
(a)	Professional and Occupational Licensing and Regulation Program			75,750
	SOURCE OF FUNDS:			
(1)	Alabama State Board of Chiropractic Examiner's Fund		75,750	
	As provided in Section 34- 24-143, <u>Code of Alabama</u> 1975.			
	Total Alabama State Board of Chiropractic Examiners		75,750	75,750
23.	CONSERVATION AND NATURAL RESOURCES, DEPARTMENT OF:			
(a)	State Land Management Program			760,000
(b)	Outdoor Recreation Sites and Services Program			25,100,000
(c)	Marine Police Program			3,309,946
(d)	Wildlife Game and Fish Program			12,835,500
(e)	Marine Resources Program			2,022,000
(f)	Land and Water Conservation Program			1,200,000

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
(g)	Administrative Services Program			2,648,399
	<p>The appropriation to the Department of Conservation and Natural Resources shall include Alabama's pro rata share of the Gulf States Marine Fisheries Commission operation expenses. The appropriation to the Department of Conservation and Natural Resources includes funds for the maintenance, staff and repair of the Governor's official beach mansion.</p>			
	SOURCE OF FUNDS:			
	(1) Game and Fish Fund		12,835,500	
	(2) State Lands Fund		760,000	
	<p>The funds hereinabove appropriated from the State Lands Fund includes funds for analyzing, cataloging and monitoring mineral reserves and the development thereof on State lands including water and offshore areas.</p>			
	(3) Marine Resources Fund		2,022,000	
	<p>In addition to the monies hereinabove appropriated from the Marine Resources Fund, all monies derived from contracts, grants or other agreements concerning or relating to marine biological research performed or accomplished at the Marine Resources Division Laboratory at Dauphin Island is hereby appropriated and may be expended by the Commissioner of Conservation on such Marine Resources Division programs or projects which he deems appropriate.</p>			
	(4) Marine Police Fund		3,309,946	
	(5) State Parks Fund		300,000	

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
(6)	Parks Revolving Fund		21,800,000	
(7)	Administrative Funds		2,648,399	
	The funds hereinabove appropriated shall be payable as provided in Section 9-2-1 et seq., <u>Code of Alabama 1975</u> .			
(8)	Cigarette Tax		3,000,000	
(9)	Federal Land and Water Fund		1,200,000	
Total Department of Conservation and Natural Resources			47,875,845	47,875,845
24. CONTRACTORS, STATE LICENSING BOARD FOR GENERAL:				
(a)	Professional and Occupational Licensing and Regulation Program			401,122
	SOURCE OF FUNDS:			
(1)	State Licensing Board for General Contractors Fund		401,122	
	Pursuant to Section 34-8-25, <u>Code of Alabama 1975</u> . In addition to the amounts appropriated hereinabove to the State Licensing Board for General Contractors, there is hereby appropriated such an amount as may be necessary to pay the refund of any application for license which may have been rejected by the Board or application withdrawn by request of applicant.			
Total State Licensing Board for General Contractors			401,122	401,122
25. CORRECTIONS, DEPARTMENT OF:				
(a)	Administrative Services and Logistical Support Program ...			8,726,980
(b)	Institutional Services Corrections Program			103,117,546

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Fund Sources Included In Appropriation Total		Appropriation Total
General Fund	Trust Fund	
(c) Correctional Agricultural and Industries Program		19,949,300
The Department of Corrections shall not utilize any portion of its State General Fund appropriation to support the Correctional Industries Program, for either the agribusiness element or the industries element.		

(d) Transfer to State General Fund from the Correctional Industries Revolving Fund		1,500,000
Notwithstanding any other law to the contrary and specifically including Section 5 of Act No. 87-715, it is further the intent of the Legislature that in accordance with Section 14-7-20 of the Code of Alabama, 1975, that this transfer be made.		

SOURCE OF FUNDS:

(1) State General Fund - Transfer	109,044,526
(2) Department of Corrections Fund	24,249,300

The above amount shall include \$1,500,000 to be transferred from the Correctional Industries Revolving Fund to the State General Fund. The Commissioner of the Department of Corrections is authorized to utilize funds herein appropriated as matching contributions, where required and appropriate, to generate additional funds which would effectively increase the appropriations for the Department of Corrections. Any such grant funds so generated and in direct support of the Department of Corrections' operations are also hereby appropriated.

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	Fund Sources Included In Appropriation Total		Appropriation Total
	General Fund	Trust Fund	
Total Department of Corrections	109,044,526	24,249,300	133,293,826

In addition to the above appropriation to the Department of Corrections, there is hereby conditionally appropriated from the State General Fund \$2,800,000 for prisons at Clayton and Clio, to be conditioned upon the availability of funds in the State General Fund, the determination of a demonstrated need, recommendation by the Finance Director, and approval by the Governor.

26. COSMETOLOGY, ALABAMA
BOARD OF:

- | | |
|--|---------|
| (a) Professional and Occupational
Licensing and Regulation
Program | 667,590 |
|--|---------|

SOURCE OF FUNDS:

- | | |
|--|---------|
| (1) Alabama Board of Cos-
metology Fund | 667,590 |
|--|---------|

As provided in Section 34-
7-42, Code of Alabama
1975.

Total Alabama Board of Cosmetology	667,590	667,590
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27. COUNSELING, ALABAMA
BOARD OF EXAMINERS IN:

- | | |
|--|--------|
| (a) Professional and Occupational
Licensing and Regulation
Program | 58,700 |
|--|--------|

SOURCE OF FUNDS:

- | | |
|--|--------|
| (1) Alabama Board of Exam-
iners in Counseling Fund | 58,700 |
|--|--------|

As provided in Section 34-
8A-6, Code of Alabama
1975.

Total Alabama Board of Ex- aminers in Counseling	58,700	58,700
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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
28.	CREDIT UNION ADMINISTRATION, ALABAMA:			
(a)	Charter, License and Regulate Financial Institutions Program			400,700
	SOURCE OF FUNDS:			
(1)	Alabama Credit Union Administration Fund		400,700	
	As provided in Section 5- 17-7, <u>Code of Alabama</u> 1975.			
	Total Alabama Credit Union Administration		400,700	400,700
29.	CRIME VICTIMS COMPENSATION COMMISSION, ALABAMA:			
(a)	Special Services Program, Estimated			416,606
	SOURCE OF FUNDS:			
(1)	Alabama Crime Victims Compensation Commis- sion Fund, Estimated		416,606	
	To be expended in accord- ance with Sections 15-23- 1 et seq., <u>Code of Alabama</u> 1975.			
	Total Alabama Crime Victims Compensation Commission		416,606	416,606
30.	CRIMINAL JUSTICE INFORMATION CENTER, ALABAMA:			
(a)	Criminal Justice Information Services Program			3,266,419
	SOURCE OF FUNDS:			
(1)	State General Fund - Transfer	2,420,503		
(2)	Federal, Local, and Mis- cellaneous Funds		845,916	
	Total Alabama Criminal Jus- tice Information Center	2,420,503	845,916	3,266,419

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
31.	DEVELOPMENT OFFICE, ALABAMA:			
(a)	Promotional Development Program-Alabama Film Commission			250,000
(b)	Administrative Services Pro- gram-Office of Minority Business			95,500
(c)	Industrial Development Pro- gram-Alabama Development Office			4,348,309
(d)	Alabama Reunion			300,000
	SOURCE OF FUNDS:			
(1)	State General Fund - Transfer - Alabama De- velopment Office	4,548,309		
(2)	State General Fund - Transfer - Office of Mi- nority Business	95,500		
(3)	State General Fund - Transfer - Alabama Film Commission	250,000		
(4)	Federal, Local and Miscel- laneous Funds		100,000	
	Total Alabama Development Office	4,893,809	100,000	4,993,809
32.	DISTRICT ATTORNEYS:			
(a)	Court Operations Program			12,173,698
	The proposed spending plan included in the above total is as follows:			
	Salaries of District Attorneys	2,331,897		
	Salary of elected Deputy Dis- trict Attorney of the Bessemer Division of the 10th Judicial Circuit	57,045		
	For the use of the elected As- sistant District Attorney of the Bessemer Division of the 10th Judicial Circuit	136,393		
	Salaries and expenses of Su- pernumerary District Attorneys	1,030,750		

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Fund Sources Included
In Appropriation Total

General Fund	Trust Fund	Appropriation <u>Total</u>
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For use in the District Attorney's Office of the following Judicial Circuits:

1st Judicial Circuit	120,568
2nd Judicial Circuit	136,261
3rd Judicial Circuit	204,161
4th Judicial Circuit	417,957
5th Judicial Circuit	385,013
6th Judicial Circuit	298,183
7th Judicial Circuit	246,209
8th Judicial Circuit	180,822
9th Judicial Circuit	161,132
10th Judicial Circuit ...	451,552
11th Judicial Circuit ...	129,936
12th Judicial Circuit ...	277,388
13th Judicial Circuit ...	493,642
14th Judicial Circuit ...	133,803
15th Judicial Circuit ...	422,423
16th Judicial Circuit ...	273,380
17th Judicial Circuit ...	134,374
18th Judicial Circuit ...	286,626
19th Judicial Circuit ...	171,909
20th Judicial Circuit ...	203,906
21st Judicial Circuit ...	154,027
22nd Judicial Circuit ...	134,732
23rd Judicial Circuit ...	336,879
24th Judicial Circuit ...	127,765
25th Judicial Circuit ...	122,277
26th Judicial Circuit ...	220,333
27th Judicial Circuit ...	169,983
28th Judicial Circuit ...	210,490
29th Judicial Circuit ...	230,734
30th Judicial Circuit ...	228,073
31st Judicial Circuit ...	125,492
32nd Judicial Circuit ...	161,680
33rd Judicial Circuit ...	159,483
34th Judicial Circuit ...	110,714
35th Judicial Circuit ...	105,562
36th Judicial Circuit ...	107,219

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	Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
	General Fund	Trust Fund	
37th Judicial Circuit ...	214,054		
38th Judicial Circuit ...	162,133		
39th Judicial Circuit ...	135,297		
Travel Expenses of District Attorneys	75,000		
Investigators Subsistence-Sec- tion 36-21-2, <u>Code of Alabama</u> <u>1975</u>	196,441		
(1) State General Fund	12,173,698		
Total District Attorneys	12,173,698		12,173,698
33. ECONOMIC AND COMMUNITY AFFAIRS, ALABAMA DEPARTMENT OF:			
(a) Administrative Support Serv- ices Program			4,460,955
(b) Planning Program			35,070,574
(c) Special Services Program			18,941,180
(d) Skills Enhancement and Em- ployment Opportunities Program			62,766,488
(e) Energy Management Program			14,918,242
(f) Traffic Control and Accident Prevention Program			3,186,905
(g) Law Enforcement Planning and Development Program			3,303,226
(h) Surplus Property Program			1,310,000
SOURCE OF FUNDS:			
(1) State General Fund - Transfer	7,173,079		
(2) Federal, Local and Miscel- laneous Funds		131,493,354	
(3) Administrative Transfers		3,981,137	
(4) Administrative Transfers from Federal Donated Sur- plus Property Sales		700,000	
(5) Administrative Transfers from State-Owned Surplus Property Sales		610,000	
Total Alabama Department of Economic and Community Affairs	7,173,079	136,784,491	143,957,570

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
34.	EDUCATION, DEPARTMENT OF:			
	(a) Direct Client Services for the Handicapped-Homebound Program			2,080,000
	(b) Projects-Vocational Rehabili- tation/Crippled Children Serv- ices Program-Eye Injury Register			19,380
	SOURCE OF FUNDS:			
	(1) State General Fund	2,099,380		
	Total Department of Education	2,099,380		2,099,380
35.	ELECTRICAL CONTRACTORS, BOARD OF:			
	(a) Professional and Occupational Licensing and Regulation Program			93,000
	SOURCE OF FUNDS:			
	(1) Electrical Contractors Board Fees		93,000	
	As provided in Section 34- 36-17, <u>Code of Alabama</u> 1975.			
	Total Board of Electrical Contractors		93,000	93,000
36.	ELK RIVER DEVELOPMENT AGENCY:			
	(a) Water Resource Development Program			4,436
	SOURCE OF FUNDS:			
	(1) State General Fund	4,436		
	Total Elk River Development Agency	4,436		4,436
37.	EMERGENCY MANAGEMENT AGENCY:			
	(a) Readiness and Recovery Program			5,135,983
	(b) Transfer to County Emer- gency Management Agencies The above appropriation of \$350,000 is to be in addition to the regular allocations to county			350,000

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
emergency management agencies.				
SOURCE OF FUNDS:				
(1) State General Fund - Transfer	1,221,937			
(2) Federal, Local and Miscellaneous Funds			4,264,046	
Total Emergency Management Agency	1,221,937	4,264,046		5,485,983
38. ENERGY BOARD, SOUTHERN STATES:				
(a) Discovery and Development of Mineral, Energy and Water Resources, Geological Research and Topographic Mapping Program				27,149
SOURCE OF FUNDS:				
(1) State General Fund	27,149			
Total Southern States Energy Board	27,149			27,149
39. ENGINEERS AND LAND SURVEYORS, STATE BOARD OF REGISTRATION FOR PROFESSIONAL:				
(a) Professional and Occupational Licensing and Regulation Program				397,100
SOURCE OF FUNDS:				
(1) Professional Engineers Fund			397,100	
As provided in Section 34-11-36, <u>Code of Alabama 1975</u> .				
Total State Board of Registration for Professional Engineers and Land Surveyors			397,100	397,100
40. ENVIRONMENTAL MANAGEMENT, DEPARTMENT OF:				
(a) Environmental Management Program				31,274,208
SOURCE OF FUNDS:				
(1) State General Fund - Transfer	4,013,488			

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
(2)	State General Fund - Transfer to Water Pollution Control Authority	2,700,000		
(3)	Environmental Management Fees		2,128,350	
	As provided in Section 22- 22A-11, <u>Code of Alabama</u> <u>1975.</u>			
(4)	Federal, Local and Miscel- laneous Funds		8,532,370	
(5)	Federal Match - Water Pollution Control Authority		13,500,000	
(6)	Transfer from Under- ground Storage Tank Trust Fund - Act 88-378		400,000	
	Total Department of Environ- mental Management	6,713,488	24,560,720	31,274,208
41.	ETHICS COMMISSION, ALABAMA:			
(a)	Regulation of Public Officials and Employees Program			324,513
	SOURCE OF FUNDS:			
(1)	State General Fund	324,513		
	Total Alabama Ethics Commission	324,513		324,513
42.	FARM CRISIS AND TRANSITION PROGRAM:			
(a)	Agricultural Development Services Program			100,000
	SOURCE OF FUNDS:			
(1)	State General Fund - Transfer	100,000		
	Total Farm Crisis and Tran- sition Program	100,000		100,000
43.	FARMERS' MARKET AUTHORITY:			
(a)	Agricultural Development Services Program			268,256
	SOURCE OF FUNDS:			
(1)	State General Fund - Transfer For Administration	94,374		

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
	(2) Farmers' Market Authority Administration - Transfer from Capital Outlay Account		36,941	
	(3) Farmers' Market Authority Fund - Revenue and Capital Outlay Account		136,941	
	Total Farmers' Market Authority	94,374	173,882	268,256
44.	FINANCE, DEPARTMENT OF:			
	(a) Fiscal Management Program			3,701,538
	(b) Administrative Support Services Program			4,533,179
	SOURCE OF FUNDS:			
	(1) State General Fund	8,184,717		
	(2) Miscellaneous Funds		50,000	
	Total Department of Finance	8,184,717	50,000	8,234,717
45.	FINANCE, DEPARTMENT OF - AIR TRANSPORTATION:			
	(a) Administrative Support Services Program			1,990,571
	SOURCE OF FUNDS:			
	(1) State General Fund - Transfer	1,246,788		
	(2) Departmental Receipts, Estimated		743,783	
	Total Department of Finance - Air Transportation	1,246,788	743,783	1,990,571
46.	FINANCE, DEPARTMENT OF - ALABAMA BUILDING AUTHORITY:			
	(a) Administrative Support Services Program, Estimated			1,397,605
	(b) Asbestos Removal and Renovation, Estimated			3,075,559
	SOURCE OF FUNDS:			
	(1) Alabama Building Authority Operating Fund		4,473,164	
	Total Department of Finance - Alabama Building Authority ..		4,473,164	4,473,164

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
47.	FINANCE, DEPARTMENT OF - ALABAMA BUILDING FINANCE AUTHORITY:			
(a)	Administrative Support Serv- ices Program, Estimated			1,047,021
	SOURCE OF FUNDS:			
(1)	Alabama Building Finance Authority Operating Fund		1,047,021	
	Total Department of Finance - Alabama Building Finance Authority		1,047,021	1,047,021
48.	FINANCE, DEPARTMENT OF - CAPITOL COMPLEX MAINTENANCE AND REPAIR:			
(a)	Administrative Support Serv- ices Program, Estimated			2,642,641
	SOURCE OF FUNDS:			
(1)	Capitol Complex Revolv- ing Fund		2,642,641	
	Total Department of Finance - Capitol Complex Maintenance and Repair		2,642,641	2,642,641
49.	FINANCE, DEPARTMENT OF - DATA CENTER REVOLVING FUND:			
(a)	Administrative Support Serv- ices Program, Estimated			16,697,200
	SOURCE OF FUNDS:			
(1)	Data Center Revolving Fund		16,697,200	
	Total Department of Finance - Data Center Revolving Fund		16,697,200	16,697,200
50.	FINANCE, DEPARTMENT OF - STATE INSURANCE FUND:			
(a)	Administrative Support Serv- ices Program			749,696
	SOURCE OF FUNDS:			
(1)	State Insurance Fund - Administrative		749,696	
	As provided in Sections 41- 15-1 et seq., <u>Code of Ala- bama 1975.</u>			

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
Total Department of Finance - State Insurance Fund			749,696	749,696
51.	FINANCE, DEPARTMENT OF - CENTRAL MAIL AND SUPPLY:			
(a)	Administrative Support Serv- ices Program, Estimated			5,586,954
	SOURCE OF FUNDS:			
(1)	Mail and Supply Revolv- ing Fund		5,586,954	
Total Department of Finance - Central Mail and Supply			5,586,954	5,586,954
52.	FINANCE, DEPARTMENT OF - MOTOR POOL:			
(a)	Administrative Support Serv- ices Program, Estimated			1,794,828
	SOURCE OF FUNDS:			
(1)	Motor Pool Revolving Fund		1,794,828	
Total Department of Finance - Motor Pool			1,794,828	1,794,828
53.	FINANCE, DEPARTMENT OF - PRINTING AND PUBLICATIONS:			
(a)	Administrative Support Serv- ices Program, Estimated			4,542,084
	SOURCE OF FUNDS:			
(1)	Printing and Publications Revolving Fund		4,542,084	
Total Department of Finance - Printing and Publications			4,542,084	4,542,084
54.	FINANCE, DEPARTMENT OF - DSMD SUPERCOMPUTER REVOLVING FUND:			
(a)	Administrative Support Serv- ices Program, Estimated			1,000,000
	The above appropriation is for the maintenance and opera- tion of the Supercomputer.			
	SOURCE OF FUNDS:			
(1)	Collections from state agencies and other entities		1,000,000	

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
Total Department of Finance - DSMD Supercomputer Re- volving Fund			1,000,000	1,000,000
55. FINANCE, DEPARTMENT OF - TELEPHONE REVOLVING FUND:				
(a)	Administrative Support Serv- ices Program			9,644,200
SOURCE OF FUNDS:				
(1)	State General Fund - Transfer	2,400,000		
(2)	Telephone Revolving Fund, Est.		7,244,200	
Total Department of Finance - Telephone Revolving Fund		2,400,000	7,244,200	9,644,200
56. FOREIGN TRADE RELATIONS COMMISSION:				
(a)	Special Services Program			84,201
SOURCE OF FUNDS:				
(1)	State General Fund	84,201		
Total Foreign Trade Relations Commission		84,201		84,201
57. FORENSIC SCIENCES, DEPARTMENT OF:				
(a)	Forensic Science Services Program			5,836,974
(b)	Capital Outlay			191,444
For completion of an autopsy and morgue facility in Mont- gomery, Alabama.				
SOURCE OF FUNDS:				
(1)	State General Fund	5,679,501		
(2)	State General Fund - Cap- ital Outlay	191,444		
(3)	Federal, Local and Miscel- laneous Funds		157,473	
Total Department of Forensic Sciences		5,870,945	157,473	6,028,418

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
58.	FORESTERS, ALABAMA STATE BOARD OF REGISTRATION FOR:			
(a)	Professional and Occupational Licensing and Regulation Program			24,500
	SOURCE OF FUNDS:			
(1)	Professional Foresters Fund		24,500	
	As provided in Section 34- 12-36, <u>Code of Alabama</u> 1975.			
	Total Alabama State Board of Registration for Foresters		24,500	24,500
59.	FORESTRY COMMISSION, ALABAMA:			
(a)	Forest Resources Protection and Development Program			23,382,939
	Of the above appropriation, \$3,600,000 is to be distributed on an equal basis to all volun- teer fire departments certified as of October 1, 1988, in ac- cordanace with Section 9-3-17, <u>Code of Alabama 1975.</u>			
	SOURCE OF FUNDS:			
(1)	State General Fund - Transfer	13,375,500		
(2)	Federal and Local Funds		2,801,625	
(3)	Forestry Commission Fund		7,205,814	
	Of the above appropria- tion, \$200,000 shall be used for forest research, mar- keting, management and environmental improve- ment grants.			
	Total Alabama Forestry Commission	13,375,500	10,007,439	23,382,939
	In addition to the above appro- priation to the Alabama For- estry Commission, there is hereby conditionally appropri- ated for capital outlay from the			

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
<p>Alabama Forestry Commission Fund the net proceeds from the sale of certain present property where the Birmingham District Headquarters is located in Jefferson County. The proceeds from said sale shall be covered into the Alabama Forestry Commission Fund. The above conditional appropriation shall be used to purchase land, building(s), and/or construction of building(s) in order to relocate the Birmingham District Headquarters. This conditional appropriation shall become absolute when said sale is concluded, recommended by the Finance Director and approved by the Governor.</p>				
60.	FUNERAL SERVICE, ALABAMA BOARD OF:			
	(a) Professional and Occupational Licensing and Regulation Program			128,000
	SOURCE OF FUNDS:			
	(1) Alabama Funeral Direc- tors and Embalmers Fund		128,000	
	As provided in Section 34- 13-23, <u>Code of Alabama</u> <u>1975.</u>			
	Total Alabama Board of Fu- neral Service		128,000	128,000
61.	GEOLOGICAL SURVEY:			
	(a) Discovery and Development of Mineral, Energy and Water Resources, Geologic Research and Topographic Mapping Program			2,462,551
	SOURCE OF FUNDS:			
	(1) State General Fund	1,883,682		
	(2) Federal, Local and Miscel- laneous Funds		578,869	
	Total Geological Survey	1,883,682	578,869	2,462,551

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
62.	GORGAS MEMORIAL BOARD:			
	(a) Historical Resources Manage- ment Program			5,000
	SOURCE OF FUNDS:			
	(1) State General Fund	5,000		
	As provided in Section 41- 9-220, <u>Code of Alabama</u> 1975, and an additional amount.			
	Total Gorgas Memorial Board	5,000		5,000
63.	GOVERNOR'S CONTINGENCY FUND:			
	(a) Executive Direction Program			1,610,417
	SOURCE OF FUNDS:			
	(1) State General Fund	1,610,417		
	Total Governor's Contingency Fund	1,610,417		1,610,417
64.	GOVERNOR'S MANSION ADVISORY BOARD:			
	(a) Historical Resources Manage- ment Program			259,073
	SOURCE OF FUNDS:			
	(1) State General Fund - Transfer	259,073		
	Total Governor's Mansion Ad- visory Board	259,073		259,073
65.	GOVERNOR'S MANSION:			
	(a) Executive Direction Program			188,895
	SOURCE OF FUNDS:			
	(1) State General Fund	188,895		
	Total Governor's Mansion	188,895		188,895
66.	GOVERNOR'S OFFICE:			
	(a) Executive Direction Program			1,609,902
	SOURCE OF FUNDS:			
	(1) State General Fund	1,609,902		
	Total Governor's Office	1,609,902		1,609,902

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
67.	GOVERNOR'S OFFICE ON VOLUNTEERISM:			
	(a) Executive Direction Program			85,413
	SOURCE OF FUNDS:			
	(1) State General Fund - Transfer	85,413		
	Total Governor's Office on Volunteerism	85,413		85,413
68.	HEALTH, DEPARTMENT OF PUBLIC:			
	(a) Personal Health Improvement Program			62,281,755
	Of the above appropriation, \$900,000 shall be expended for the continuation of the non- SOBRA related perinatal ac- tivities and \$400,000 for the High Risk Infant Program.			
	(b) Health Support Services Program			42,051,070
	Of the amount appropriated to support local health depart- ment services, \$4,020,000 shall be used to provide a minimum staff in each of the 67 counties, and the remaining shall be al- located to the counties on the basis of need and a match for- mula to be determined by the Department.			
	(c) Administrative Services Program			6,962,713
	(d) Perinatal and Related SOBRA Services Program			7,051,590
	The above appropriation to the Perinatal and Related SOBRA services program shall be uti- lized, to the extent available, for all health services that will reduce the state's rate of infant mortality.			
	SOURCE OF FUNDS:			
	(1) State General Fund	19,827,512		
	(2) Cigarette Tax-\$0.01 and \$0.02		6,400,000	
	As provided in Section 40-25-2 and Section 40- 25-23, <u>Code of Alabama</u> <u>1975.</u>			

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	Fund Sources Included In Appropriation Total		Appropriation Total
	General Fund	Trust Fund	
(3) Vital Statistics Fund		1,381,254	
(4) Hospital Licensing Fund		235,000	
(5) Emergency Medical Services Fund		50,000	
As provided in Section 22-18-4, Code of Ala- bama 1975.			
(6) Local Health Departments		20,880,748	
(7) Nuclear Monitoring Fund		139,000	
(8) Radiation Safety Fund ..		100,000	
(9) Miscellaneous Funds SOBRA Services Program		2,400,000	
(10) Miscellaneous Funds		9,845,514	
(11) Federal Funds		57,088,100	
Total Department of Public Health	19,827,512	98,519,616	118,347,128

In addition to the above appropriation to the Department of Public Health, there is hereby conditionally appropriated from the State General Fund, \$820,000 to be conditioned upon the availability of funds in the State General Fund, the determination of a demonstrated need, recommendation by the Finance Director, and approval of the Governor.

69. HEALTH PLANNING
AGENCY, STATE:

(a) Health Planning Development and Regulation Program			654,797
SOURCE OF FUNDS:			
(1) State General Fund - Transfer	304,797		
(2) Certificate of Need Fees ...		300,000	
(3) Federal, Local and Miscel- laneous Funds		50,000	
Total State Health Planning Agency	304,797	350,000	654,797

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
70.	HEARING AID DEALERS, ALABAMA BOARD OF:			
(a)	Professional and Occupational Licensing and Regulation Program			40,000
	SOURCE OF FUNDS:			
(1)	State Board of Health - Hearing Aid Fund		40,000	
	As provided in Section 34- 14-33, <u>Code of Alabama</u> <u>1975.</u>			
	Total Alabama Board of Hear- ing Aid Dealers		40,000	40,000
71.	HEATING AND AIR CONDITIONING CONTRACTORS, BOARD OF:			
(a)	Professional and Occupational Licensing and Regulation Program			133,301
	SOURCE OF FUNDS:			
(1)	Heating and Air Condi- tioning Contractors Fund		133,301	
	Total Board of Heating and Air Conditioning Contractors		133,301	133,301
72.	HERITAGE TRUST FUND, ALABAMA:			
(a)	Fiscal Management Program			20,000
	SOURCE OF FUNDS:			
(1)	Heritage Trust Income		20,000	
	Total Alabama Heritage Trust Fund		20,000	20,000
73.	HIGHWAY DEPARTMENT:			
(a)	Central Administration Program			10,706,273
(b)	Division and District Supervi- sion Program			19,224,843
(c)	Operations and Support Serv- ices Program			7,972,800
(d)	Maintenance Program			131,438,043

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
(e)	Non-Programmatic Programs			108,842,333
	Proposed spending plan for the above (e) includes the following:			
	Debt Service	107,285,685		
	Equipment-Other than Automotive	1,556,648		
(f)	Construction-Federal Aid Program			335,308,070
	Proposed spending plan for the above (f) includes the following:			
	Federal Aid Matching	47,729,452		
	Non-Participating Work on Federal Projects	1,000,000		
	Federal Aid	286,578,618		
(g)	Construction-State Program ..			20,000,000
(h)	Operations-Land and Buildings			1,408,000
SOURCE OF FUNDS:				
(1)	State General Fund - Transfer	71,500		
(2)	Public Road and Bridge Fund		348,250,244	
(3)	Federal Aid		286,578,618	
There is hereby appropriated, for payment of the principal of and the interest on all bonds theretofore or hereafter issued for public highways and bridge purposes, or either, by the State of Alabama, Alabama Highway Authority, Alabama Federal Aid Highway Finance Authority, or Alabama Industrial Access Road and Bridge Corporation, a total of \$107,285,685 or so much as may be necessary for payment of said principal and interest at their respective maturities, of the				

Fund Sources Included
In Appropriation Total

General Fund	Trust Fund	Appropriation <u>Total</u>
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revenues pledged for such payment. The Highway Director with the consent of the Governor and the Finance Director shall have the authority to transfer any appropriation or any portion thereof between and among Subsections (a), (b), (c), (d), (e), (f), (g), (h), of this Section whenever such transfer shall be necessary to assure maximum utilization of Federal Matching Funds which shall become available. In the event that there shall not be sufficient funds available for payment of all appropriations hereinabove made, the following provisions shall be applicable. In the event of such insufficiency in respect of the said revenues accruing to the State Highway Department:

(1) the appropriations made for Debt Service in Subsection (e) hereof shall be paid in full, (2) the appropriations from the revenues accruing to the State Highway Department that are herein made for the purposes referred to in Subsections (a), (b), (c), (d), (e), (f), (g), (h) except for Debt Service, hereof shall be allocated among the purposes referred to in said Subsections in such order and with such priorities as the State Highway Director shall from time to time direct. The funds appropriated in Subsection (f) hereof, for the matching Federal Funds, shall not revert at the end of the fiscal year for which such appropriations are made, but shall remain available for the purpose for which such appropriation was made.

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Fund Sources Included
In Appropriation Total

General Fund	Trust Fund	Appropriation <u>Total</u>
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In addition to all appropriations hereinabove made there is hereby appropriated to the State Highway Department all Federal Funds accruing thereto to be expended only for the purpose for which such funds are made available.

Total Highway Department ...	71,500	634,828,862	634,900,362
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In addition to the above appropriation to the Highway Department, there is hereby appropriated the sum of \$350,000 from any sources available to the Highway Department as the state match for additional federal mass transit funds, to purchase capital equipment (rolling stock) for the state mass transportation program, and for an insurance and/or self-insurance program to be administered by the State Highway Department. Of the above appropriation to the Highway Department an amount up to \$140,000 is to be used to solve any state right-of-way problem involving fraternal organizations.

74. HISTORIC BLAKELEY
AUTHORITY:

(a) Tourism and Travel Promotion Program	190,150
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SOURCE OF FUNDS:

(1) State General Fund	190,150	
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Total Historic Blakeley

Authority	190,150	190,150
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75. HISTORIC CHATTAHOOCHEE
COMMISSION:

(a) Historical Resources Management Program	83,200
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SOURCE OF FUNDS:

(1) State General Fund	83,200	
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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
Total Historic Chattahoochee Commission		83,200		83,200
<hr/>				
76. HISTORICAL COMMISSION, ALABAMA:				
(a) Historical Resources Manage- ment Program				1,637,811
(b) Historical Resources Manage- ment Program-Capital Outlay				100,000
SOURCE OF FUNDS:				
(1) State General Fund - Transfer		812,159		
The State General Fund appropriation shall be dis- tributed as follows:				
Historical Commission, Alabama505,040				
Historical Commission Alabama - La Grange7,774				
Historical Commission, Alabama - Fort Morgan222,591				
Historical Commission, Alabama - Fort Toulouse40,294				
Historical Commission, Alabama - John T. Mor- gan House, Selma ..11,460				
Historical Commission, Alabama - Cahaba25,000				
(2) State General Fund - Transfer-Capital Outlay- Cahaba		100,000		
(3) Federal, Local and Miscel- laneous Funds				
			825,652	
<hr/>				
Total Alabama Historical Commission		912,159	825,652	1,737,811
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As provided in Act No. 87-749,
in addition to the amounts ap-
propriated hereinabove to the
Alabama Historical Commis-
sion, there is hereby appropri-
ated the proceeds from the sale

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Fund Sources Included
In Appropriation Total

General Fund	Trust Fund	Appropriation <u>Total</u>
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of 1945 legislative desks and chairs for the cost of reproduction furniture to be used in the restoration of the Alabama State Capitol.

77. HUMAN RESOURCES,
DEPARTMENT OF:

(a) Human Services Program 279,722,049

It is the intent of the Legislature that allotments be made to the County Departments of Human Resources in the amount of \$165,500 to fund, upon approval of the county department director, supplemental client services not otherwise provided for through existing programs of the Department of Human Resources. Allotments to the county departments based on the counties' populations according to the 1980 census are as follows: county populations greater than 50,000, \$3,500; county populations less than 50,000, \$2,000.

SOURCE OF FUNDS:

(1) State General Fund - Transfer	12,228,870
(2) Federal, Local and Miscellaneous Funds	185,874,156
(3) ABC Profits	1,070,000
(4) Whiskey Tax	21,100,000
(5) Beer Tax	8,100,000
(6) Pension Residue	14,000,000
(7) Sales Tax	1,322,000
(8) Franchise Tax	13,600,000
(9) Child Support Collections	3,127,097
(10) Sales Tax for Food Stamps	11,090,355
(11) Cigarette Tax	6,334,571
(12) Contractor's Gross Receipts Tax	1,875,000

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
Total Department of Human Resources		12,228,870	267,493,179	279,722,049
78. INDIAN AFFAIRS COMMISSION, ALABAMA:				
(a)	Social Services Program			152,560
The above appropriation is to be expended in accordance with Sections 41-9-708 et seq., <u>Code of Alabama 1975.</u>				
SOURCE OF FUNDS:				
(1)	State General Fund	152,560		
Total Alabama Indian Affairs Commission				
		152,560		152,560
79. INDUSTRIAL DEVELOPMENT AUTHORITY, STATE:				
(a)	Industrial Development Program			76,100
SOURCE OF FUNDS:				
(1)	SIDA Application Fees Fund		76,100	
Total State Industrial Devel- opment Authority				
			76,100	76,100
80. INDUSTRIAL RELATIONS, DEPARTMENT OF:				
(a)	Employment Security Program			36,007,985
(b)	Industrial Safety and Accident Prevention Program			4,774,391
(c)	Administrative Services Program			8,511,943
(d)	Workmen's Compensation Program			583,209
SOURCE OF FUNDS:				
(1)	State General Fund	1,354,652		
(2)	Federal, Local and Miscel- laneous Funds		48,522,876	
Total Department of Indus- trial Relations				
		1,354,652	48,522,876	49,877,528

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
81.	INSURANCE, DEPARTMENT OF:			
(a)	Regulatory Services Program			2,727,776
	SOURCE OF FUNDS:			
(1)	State General Fund	1,617,323		
(2)	Fire Marshal's Fund		136,844	
	As provided in Section 24- 5-10, Code of Alabama 1975. Any balance in ex- cess of \$50,000 at the end of the fiscal year shall be transferred to the State General Fund.			
(3)	Examination Revolving Fund		973,609	
	Total Department of Insurance	1,617,323	1,110,453	2,727,776
82.	INSURANCE BOARD, STATE EMPLOYEES':			
(a)	Administrative Support Serv- ices Program			350,000
	SOURCE OF FUNDS:			
(1)	State Employees' Insur- ance Board Expense Fund		350,000	
	Total State Employees' Insur- ance Board		350,000	350,000
83.	INTERIOR DESIGNERS, ALABAMA STATE BOARD OF REGISTRATION FOR:			
(a)	Professional and Occupational Licensing and Regulation Program			5,700
	SOURCE OF FUNDS:			
(1)	Interior Designer Fund		5,700	
	As provided in Section 34- 15A-7, Code of Alabama 1975.			
	Total Alabama State Board of Registration for Interior Designers		5,700	5,700

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
84.	LABOR, DEPARTMENT OF:			
	(a) Regulatory Services Program			375,925
	SOURCE OF FUNDS:			
	(1) State General Fund	325,925		
	(2) Federal, Local and Miscel- laneous Funds		50,000	
	Total Department of Labor	325,925	50,000	375,925
85.	LANDSCAPE ARCHITECTS, BOARD OF EXAMINERS OF:			
	(a) Professional and Occupational Licensing and Regulation Program			18,525
	SOURCE OF FUNDS:			
	(1) Landscape Architect's Fund		18,525	
	As provided in Section 34- 17-6, <u>Code of Alabama</u> <u>1975.</u>			
	Total Board of Examiners of Landscape Architects		18,525	18,525
86.	LIEUTENANT GOVERNOR, OFFICE OF THE:			
	(a) Legislative Operations and Support Program			440,156
	SOURCE OF FUNDS:			
	(1) State General Fund	440,156		
	Total Office of the Lieutenant Governor	440,156		440,156
87.	LIQUEFIED PETROLEUM GAS BOARD:			
	(a) Regulatory Services Program			342,000
	SOURCE OF FUNDS:			
	(1) Liquefied Petroleum Gas Board Fund		342,000	
	Total Liquefied Petroleum Gas Board		342,000	342,000
88.	MANUFACTURED HOUSING COMMISSION, ALABAMA:			
	(a) Regulatory Services Program			494,921
	SOURCE OF FUNDS:			
	(1) Alabama Manufactured Housing Commission Fund		494,921	

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
As provided in Section 24-6-4, Code of Alabama 1975.				
Total Alabama Manufactured Housing Commission			494,921	494,921
89. MEDICAID AGENCY, ALABAMA:				
(a) Medical Assistance Through Medicaid Program				534,018,440
SOURCE OF FUNDS:				
(1) State General Fund - Transfer		111,458,272		
(2) Transfer from Department of Human Resources			3,824,175	
(3) Transfer from Mental Health			19,050,250	
(4) Transfer from Commission on Aging			1,770,580	
(5) Federal, Local and Miscellaneous Funds			397,915,163	
Total Alabama Medicaid Agency		111,458,272	422,560,168	534,018,440
90. MEN'S HALL OF FAME, ALABAMA:				
(a) Historical Resources Management Program				5,000
SOURCE OF FUNDS:				
(1) State General Fund		5,000		
Total Alabama Men's Hall of Fame		5,000		5,000
91. MENTAL HEALTH AND MENTAL RETARDATION, DEPARTMENT OF:				
(a) Institutional Treatment and Care-Mental Illness Program				85,204,073
(b) Institutional Treatment and Care-Mental Retardation Program				65,896,388
(c) Institutional Treatment and Care-Criminally Insane Program				5,501,195
(d) Administrative Services Program				4,922,091

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
(e)	Community Services Program			57,770,633
(f)	Agency Administration Program			673,721

SOURCE OF FUNDS:

(1)	State General Fund - Transfer	54,602,696		
(2)	Special Mental Health Trust Fund		85,844,000	
	For Operations and Main- tenance of the State Men- tal Health and Mental Retardation Department and the Mental Health and Mental Retardation Com- munity Programs, includ- ing the purchase of drugs for medically indigent mental patients not hos- pitalized at time of receiv- ing drugs at the Alabama state hospitals.			
(3)	Cigarette Tax		11,200,000	
(4)	Federal, Local and Miscel- laneous Funds		68,321,405	
Total Department of Mental Health and Mental Retardation		54,602,696	165,365,405	219,968,101

In addition to the above appro-
priation to the Department of
Mental Health and Mental Re-
tardation, there is hereby con-
ditionally appropriated from
the State General Fund,
\$1,800,000 to be conditioned
upon the availability of funds
in the State General Fund, the
determination of a demon-
strated need, recommendation
by the Finance Director, and
approval of the Governor.

92. MILITARY DEPARTMENT:

(a)	Military Operations Program	5,497,360
(b)	Capital Outlay	920,000

SOURCE OF FUNDS:

(1)	State General Fund - Operations	1,624,700
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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
(2)	State General Fund - Quarterly Allowances Headquarters	1,500,000		
	Regular Allowance Units to be used solely for oper- ating expenses; provided, that no more than \$4,500 shall be allotted in any fis- cal year for the Alabama National Guard Head- quarters.			
(3)	State General Fund - Transfer-Capital Outlay for Architect and Engi- neering Services, Specifi- cations, Repair and Construction of Facilities	920,000		
	The above appropriation shall include funding for asbestos removal at Fort Whiting Armory.			
(4)	State General Fund - Ac- tive Military Service	37,500		
(5)	State General Fund - Transfer to Armory Commission	2,326,660		
(6)	State General Fund - Dropping Allowance	4,500		
(7)	State General Fund - State Defense Force	4,000		
Total Military Department		6,417,360		6,417,360
93. MILITARY DEPARTMENT- ARMORY COMMISSION OF ALABAMA:				
(a)	Military Operations Program			4,426,425
SOURCE OF FUNDS:				
(1)	Transfer from Military Department	2,326,660		
(2)	Federal, Local and Miscel- laneous Funds	2,099,765		
	The funds hereinabove appropriated to the Ar- mory Commission shall be payable from the funds in the State Treasury to the			

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Fund Sources Included
In Appropriation Total

General Fund	Trust Fund	Appropriation <u>Total</u>
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credit of the Armory Commission and the appropriation hereinabove made includes the appropriation made for the care, maintenance, and construction of facilities; provided, however, that the last federal government service contract reimbursement shall not revert to the State General Fund, and any unobligated balance remaining thereof in the Armory Commission Fund at the end of the fiscal year in excess of \$50,000 shall be transferred to the State General Fund.

Total Armory Commission of Alabama	4,426,425	4,426,425
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94. MOTOR SPORTS HALL OF FAME:

(a) Tourism and Travel Promotion Program		70,766
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SOURCE OF FUNDS:

(1) State General Fund	70,766	
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Total Motor Sports Hall of Fame	70,766	70,766
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95. MUSIC HALL OF FAME, ALABAMA:

(a) Fine Arts Program		120,354
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SOURCE OF FUNDS:

(1) State General Fund	120,354	
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Total Alabama Music Hall of Fame	120,354	120,354
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96. NURSING, ALABAMA BOARD OF:

(a) Professional and Occupational Licensing and Regulation Program		1,052,160
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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
SOURCE OF FUNDS:				
(1) Alabama Board of Nursing Trust Fund - as provided in <u>Code of Alabama 1975</u> , as amended, Sections 34-21-1 through 34-21-43			1,052,160	
Total Alabama Board of Nursing			1,052,160	1,052,160
97. NURSING HOME ADMINISTRATORS, BOARD OF EXAMINERS OF:				
(a) Professional and Occupational Licensing and Regulation Program				48,000
SOURCE OF FUNDS:				
(1) Board of Examiners of Nursing Home Adminis- trators Fund			48,000	
As provided in Section 34- 20-7, <u>Code of Alabama</u> 1975.				
Total Board of Examiners of Nursing Home Administrators			48,000	48,000
98. OIL AND GAS BOARD:				
(a) Management and Regulation of Oil and Gas Exploration and Development Program				2,310,693
SOURCE OF FUNDS:				
(1) State General Fund		2,200,693		
(2) Oil and Gas Board Special Fund			100,000	
(3) Federal, Local and Miscel- laneous Funds			10,000	
Total Oil and Gas Board		2,200,693	110,000	2,310,693
99. PARDONS AND PAROLES, BOARD OF:				
(a) Administration of Pardons and Paroles Program				11,812,792
SOURCE OF FUNDS:				
(1) State General Fund		8,797,072		

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
(2) Probationers Upkeep Fund			2,878,050	
In accordance with Sec- tion 15-22-2, <u>Code of Ala- bama 1975.</u>				
(3) Miscellaneous Funds			137,670	
Total Board of Pardons and Paroles		8,797,072	2,878,050	11,812,792
100. PEACE OFFICERS' ANNUITY AND BENEFIT FUND, ALABAMA:				
(a) Retirement Systems Program				266,990
SOURCE OF FUNDS:				
(1) Peace Officers' Annuity and Benefit Fund			266,990	
As provided in Section 36- 21-66, <u>Code of Alabama</u> 1975.				
Total Alabama Peace Officers' Annuity and Benefit Fund			266,990	266,990
101. PERSONNEL DEPARTMENT, STATE:				
(a) Administrative Support Serv- ices Program				2,893,827
SOURCE OF FUNDS:				
Transfers to the State Person- nel Department shall be as fol- lows:				
(1) Board of Public Accountancy			287	
(2) Department of Aeronautics			479	
(3) Commission on Aging			1,915	
(4) Department of Agricul- ture and Industries			44,290	
(5) Agricultural Center Board			1,819	
(6) Alcoholic Beverage Con- trol Board			88,054	
(7) Board of Registration for Architects			144	
(8) Archives and History			4,644	

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	Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
	General Fund	Trust Fund	
(9) State Council on the Arts		1,006	
(10) Attorney General's Office		13,646	
(11) State Auditor		2,059	
(12) State Banking Department		4,980	
(13) Building Commission		2,155	
(14) Child Abuse and Neglect Prevention Board		192	
(15) Chiropractic Examiners		96	
(16) Department of Conser- vation and Natural Resources		100,934	
(17) State Licensing Board for General Contractors		527	
(18) Department of Corrections		264,688	
(19) Board of Cosmetology		862	
(20) Credit Union Administration		527	
(21) Alabama Crime Victims Compensation Commission		622	
(22) Criminal Justice Infor- mation Center		6,033	
(23) Alabama Development Office		3,208	
(24) State Docks		46,541	
(25) Department of Economic and Community Affairs		29,878	
(26) Department of Education		128,322	
(27) Electrical Contractors Board		48	
(28) Emergency Management Agency		3,687	
(29) Local Emergency Management		5,000	
(30) Board of Registration for Professional Engineers and Land Surveyors		431	
(31) Department of Environ- mental Management		22,265	

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	Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
	General Fund	Trust Fund	
(32) Ethics Commission		575	
(33) Examiners of Public Accounts		20,110	
(34) Farmers' Market Authority		239	
(35) Finance Department		45,679	
(36) Finance-Alabama Build- ing Authority		2,681	
(37) Finance-Alabama Build- ing Finance Authority		1,819	
(38) Firefighters' Personnel Standards and Educa- tion Commission		383	
(39) Foreign Trade Relations Commission		144	
(40) Department of Forensic Sciences		10,869	
(41) Forestry Commission		39,742	
(42) Funeral Services		144	
(43) Governor's Office		3,112	
(44) Department of Public Health		209,960	
(45) State Health Planning Agency		1,484	
(46) Board of Heating and Air Conditioning Contractors		192	
(47) Highway Department		359,972	
(48) Alabama Historical Commission		5,794	
(49) Housing Finance Authority		239	
(50) Department of Human Resources		373,953	
(51) Alabama Indian Affairs Commission		144	
(52) Department of Industrial Relations		162,318	
(53) Insurance Department ...		5,315	
(54) Judicial Inquiry Commission		48	
(55) Department of Labor		766	
(56) Legislative Reference Service		575	

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	Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
	General Fund	Trust Fund	
(57) Liquefied Petroleum Gas Board		622	
(58) Manufactured Housing Commission		383	
(59) Alabama Medicaid Agency		26,861	
(60) Department of Mental Health and Mental Retardation		448,936	
(61) Military Department		17,285	
(62) Board of Nursing		1,580	
(63) Board of Examiners of Nursing Home Administrators		48	
(64) Oil and Gas Board		10,294	
(65) Pardons and Paroles		26,718	
(66) Peace Officers' Annuity and Benefit Fund		239	
(67) Peace Officers' Standards and Training Commission		335	
(68) Physical Fitness Commission		575	
(69) Board of Physical Therapy		48	
(70) Board of Polygraph Examiners		96	
(71) Public Library Service ...		5,698	
(72) Department of Public Safety		118,458	
(73) Public Service Commission		13,119	
(74) Alabama Educational Television Commission		7,757	
(75) Real Estate Commission		1,484	
(76) Retirement Systems		11,396	
(77) Department of Revenue		113,000	
(78) Secretary of State		2,442	
(79) Securities Commission ...		2,011	
(80) Board of Social Work Examiners		96	
(81) Soil and Water Conservation		335	

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
(82)	Surface Mining Commission		4,788	
(83)	Bureau of Tourism and Travel		6,799	
(84)	State Treasurer		4,070	
(85)	Department of Veterans' Affairs		5,937	
(86)	Board of Veterinary Medical Examiners		96	
(87)	Department of Youth Services		36,725	
Total State Personnel Department			2,893,827	2,893,827
102. PHYSICAL THERAPY, BOARD OF:				
(a)	Professional and Occupational Licensing and Regulation Program			72,435
SOURCE OF FUNDS:				
(1)	Physical Therapist Fund As provided in Section 34- 24-195, <u>Code of Alabama</u> 1975.		72,435	
Total Board of Physical Therapy			72,435	72,435
103. PLUMBERS AND GAS FITTERS EXAMINING BOARD, ALABAMA:				
(a)	Professional and Occupational Licensing and Regulation Program			249,480
SOURCE OF FUNDS:				
(1)	Board of Plumbers and Gas Fitters Examiners Fund ...		249,480	
Total Alabama Plumbers and Gas Fitters Examining Board			249,480	249,480
104. POLYGRAPH EXAMINERS, BOARD OF:				
(a)	Professional and Occupational Licensing and Regulation Program			30,000
SOURCE OF FUNDS:				
(1)	Board of Polygraph Ex- aminers Fund		30,000	

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
As provided in Section 34- 25-5, <u>Code of Alabama</u> 1975.				
Total Board of Polygraph Examiners			30,000	30,000
105. PROSECUTION SERVICES, OFFICE OF:				
(a) Prosecution, Training, Educa- tion and Management Program				1,062,427
SOURCE OF FUNDS:				
(1) State General Fund - Transfer		135,589		
(2) Office of Prosecution Serv- ices Fund			926,838	
Total Office of Prosecution Services		135,589	926,838	1,062,427
106. PSYCHOLOGY, ALABAMA BOARD OF EXAMINERS IN:				
(a) Professional and Occupational Licensing and Regulation Program				45,430
SOURCE OF FUNDS:				
(1) Board of Examiners in Psychology Fund			45,430	
As provided in Section 34- 26-43, <u>Code of Alabama</u> 1975.				
Total Alabama Board of Ex- aminers in Psychology			45,430	45,430
107. PUBLIC SAFETY, DEPARTMENT OF:				
(a) Traffic Control and Accident Prevention Program				19,125,205
(b) Criminal Investigation Program				8,300,710
(c) Drivers' Licensing and Im- provement Program				9,241,970
(d) Public Safety Support Services Program				6,588,820
(e) Administrative Services Program				3,765,040

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
(f)	Alabama Criminal Justice Training Center Program			941,260
SOURCE OF FUNDS:				
(1)	State General Fund	47,963,005		
Total Department of Public Safety				
		47,963,005		47,963,005

In addition to the above appropriation, there is hereby conditionally appropriated to the Department of Public Safety from the State General Fund, \$1,400,000 for additional costs for the purchase of an Automatic Fingerprint Information System, to be conditioned upon the availability of funds in the State General Fund, the determination of a demonstrated need, recommendation by the Finance Director, and approval by the Governor.

108. PUBLIC SERVICE
COMMISSION:

(a)	Regulatory Services Program	5,449,101
(b)	Administrative Services Program	1,842,134

SOURCE OF FUNDS:

(1)	Public Service Commis- sion Fund	6,673,235
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The above appropriation to the Alabama Public Service Commission shall be payable only from inspection and supervision fees paid by utilities and transportation companies and such parts or percentages of fees and taxes paid by motor carrier or motor transportation companies as are now or may be set aside by law to be used by

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
the Commission. Any surplus remaining in the Alabama Public Service Commission Fund at the end of the fiscal year in excess of \$600,000 shall be transferred to the State General Fund.				
(2) Gas Pipeline Safety Fund			386,000	
(3) Federal and Miscellaneous Funds			232,000	
Total Public Service Commission			7,291,235	7,291,235
109. REAL ESTATE COMMISSION, ALABAMA:				
(a) Professional and Occupational Licensing and Regulation Program				1,129,034
SOURCE OF FUNDS:				
(1) Alabama Real Estate Commission Fund			1,129,034	
As provided in Section 34-27-4, <u>Code of Alabama 1975</u> and the total expenditures shall in no manner exceed the amounts hereby appropriated.				
Total Alabama Real Estate Commission			1,129,034	1,129,034
110. REVENUE, DEPARTMENT OF:				
(a) State Revenue Administration Program				49,671,690
SOURCE OF FUNDS:				
(1) State General Fund - Transfer		250,000		
As provided in Section 40-7-70, <u>Code of Alabama 1975</u> , to maintain a program for the equalization of ad valorem tax assessments.				
(2) State General Fund - Board of Equalization ...		124,985		
(3) Ad Valorem Equalization Fund			220,115	

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	Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
	General Fund	Trust Fund	
(4) Transfer from the gross proceeds of Cigarette Tax Collections		888,224	
As provided in Section 40-25A-20, <u>Code of Ala- bama 1975.</u>			
(5) Transfer from the gross proceeds of Financial In- stitution Excise Tax Collections		230,198	
(6) Transfer from the pro- ceeds of the Forest Sev- erance Tax Collections ...		84,784	
(7) Transfer from the gross proceeds of Gasoline Tax Collections		4,030,552	
(8) Transfer from the In- come Tax Collections		13,678,883	
(9) Transfer from the gross proceeds of Motor Fuel Tax Collections		840,032	
(10) Transfer from the gross proceeds of Motor Vehi- cle License Collections ...		1,821,412	
(11) Transfer from the Pen- sion Fund as part of the cost of collections of the 1-Mill Ad Valorem Tax		557,337	
(12) Transfer from the Public School Fund as part of the cost of collections of the 3-Mill Ad Valorem Tax		1,373,134	
(13) Transfer from the gross proceeds of Sales Tax Collections		12,067,459	
(14) Transfer from the gross proceeds of the Tobacco Tax Collections		36,353	
(15) Transfer from the gross proceeds of Use Tax Collections		1,320,637	
(16) Transfer from the gross proceeds of the Utility Tax Collections		2,932,060	
(17) Local Funds		6,000,442	

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Fund Sources Included In Appropriation Total			
	General Fund	Trust Fund	Appropriation Total
(18) Transfer from the gross proceeds of Motor Vehicle License Collections for the purchase only of Motor Vehicle License Tags		2,365,083	
(19) Inspection fees for re- stored vehicles		750,000	
As provided in Section 32-8-87, Code of Ala- bama 1975.			
(20) Revenue Administration Fund - Transfer from Abandoned Property Trust Fund as provided in Section 35-12-39, Code of Alabama 1975		100,000	
The amounts herein- above appropriated for the cost of maintenance and operations of the De- partment of Revenue are in lieu of any other stat- utory provisions for the payment of the cost of operating said Depart- ment or collections of the taxes as authorized by law. Provided, however, in addition to the amount hereinabove appropri- ated, there is hereby appropriated to the De- partment of Revenue all sums allowed the De- partment of Revenue by local Acts of the Legisla- ture as a charge for the collection of taxes or li- censes.			
Total Department of Revenue	374,985	49,296,705	49,671,690
111. SEAFOOD ADVISORY COMMISSION:			
(a) Marine Resources Program			40,520
SOURCE OF FUNDS:			
(1) Seafood Advisory Com- mission Fund		40,520	

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
Total Seafood Advisory Commission			40,520	40,520
112. SECRETARY OF STATE:				
(a)	Administrative Support Serv- ices Program			1,210,909
(b)	Training of Election Officials			65,000
SOURCE OF FUNDS:				
(1)	State General Fund	896,909		
(2)	UCC and Farm Indexing Fund		379,000	
Total Secretary of State		896,909	379,000	1,275,909
113. SECURITIES COMMISSION:				
(a)	Regulatory Services Program			817,228
SOURCE OF FUNDS:				
(1)	State General Fund	469,489		
(2)	Industrial Revenue Bond Notification Fund		220,190	
(3)	Sale of Checks License Fund		7,781	
(4)	Exemption Fund		119,768	
Total Securities Commission		469,489	347,739	817,228
114. SENIOR CITIZENS HALL OF FAME, ALABAMA:				
(a)	Historical Resources Manage- ment Program			22,681
To be expended in accordance with Section 41-9-740 et seq., <u>Code of Alabama 1975.</u>				
SOURCE OF FUNDS:				
(1)	State General Fund	22,681		
Total Alabama Senior Citizens Hall of Fame		22,681		22,681
115. SOCIAL WORK EXAMINERS, ALABAMA STATE BOARD OF:				
(a)	Professional and Occupational Licensing and Regulation Program			61,888
SOURCE OF FUNDS:				
(1)	Alabama State Board of Social Work Examiners Fund		61,888	

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	Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
	General Fund	Trust Fund	
As provided in Section 34-30-6, <u>Code of Alabama</u> <u>1975.</u>			
Total Alabama State Board of Social Work Examiners		61,888	61,888
116. SOIL AND WATER CONSERVATION COMMITTEE, STATE:			
(a) Water Resource Development Program			1,208,381
(b) Professional and Occupational Licensing and Regulation Program			4,000
SOURCE OF FUNDS:			
(1) State General Fund	1,178,381		
(2) Soil Classifiers Fund		4,000	
As provided in Section 34-32-19, <u>Code of Alabama</u> <u>1975.</u>			
(3) Transfer from Agricultural and Conservation Develop- ment Commission		30,000	
Total State Soil and Water Conservation Committee	1,178,381	34,000	1,212,381
117. SOUTHERN GROWTH POLICIES BOARD:			
(a) Special Services Program			27,830
SOURCE OF FUNDS:			
(1) State General Fund	27,830		
Total Southern Growth Poli- cies Board	27,830		27,830
118. SPACE SCIENCE EXHIBIT COMMISSION, ALABAMA:			
(a) Tourism and Travel Promo- tion Program			98,800
SOURCE OF FUNDS:			
(1) State General Fund	98,800		
Total Space Science Exhibit Commission	98,800		98,800

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
119.	SPEECH PATHOLOGY AND AUDIOLOGY, ALABAMA BOARD OF EXAMINERS FOR:			
(a)	Professional and Occupational Licensing and Regulation Program			28,270
	SOURCE OF FUNDS:			
(1)	Alabama Board of Exam- iners for Speech Pathology and Audiology Fund		28,270	
	As provided in Section 34- 28A-44, <u>Code of Alabama</u> 1975.			
	Total Alabama Board of Ex- aminers for Speech Pathology and Audiology		28,270	28,270
120.	SPORTS HALL OF FAME, ALABAMA:			
(a)	Historical Resources Manage- ment Program			140,000
	SOURCE OF FUNDS:			
(1)	State General Fund	140,000		
	Total Alabama Sports Hall of Fame	140,000		140,000
121.	SURFACE MINING COMMISSION, ALABAMA:			
(a)	Industrial Safety and Accident Prevention Program			5,000,424
	SOURCE OF FUNDS:			
(1)	State General Fund - Transfer	211,345		
(2)	Surface Mining Commis- sion Fund		4,789,079	
	As provided by Section 9- 16-103, <u>Code of Alabama</u> 1975. All fees and charges, grants, gifts, fines, bond forfeitures or other monies received under the above act, in addition to the ap- propriation herein made, are appropriated to the Surface Mining Commis- sion.			

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
Total Alabama Surface Min- ing Commission		211,345	4,789,079	5,000,424
122. TANNEHILL FURNACE AND FOUNDRY COMMISSION:				
(a) Historical Resources Manage- ment Program				256,392
SOURCE OF FUNDS:				
(1) State General Fund		256,392		
Total Tannehill Furnace and Foundry Commission		256,392		256,392
123. TENNESSEE-TOMBIGBEE WATERWAY DEVELOPMENT AUTHORITY:				
(a) Water Resource Development Program				101,000
SOURCE OF FUNDS:				
(1) State General Fund		101,000		
Total Tennessee-Tombigbee Waterway Development Authority		101,000		101,000
124. TENNESSEE VALLEY EXHIBIT COMMISSION OF ALABAMA:				
(a) Promotional Development Program				372,241
To be expended in accordance with Sections 41-9-780 et seq., Code of Alabama 1975.				
SOURCE OF FUNDS:				
(1) State General Fund - Transfer		70,766		
(2) Federal, Local and Miscel- laneous Funds			301,475	
Total Tennessee Valley Ex- hibit Commission of Alabama		70,766	301,475	372,241
125. TOURISM AND TRAVEL, BUREAU OF:				
(a) Tourism and Travel Promo- tion Program				5,013,050
SOURCE OF FUNDS:				
(1) State General Fund - Transfer		1,422,689		

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
(2)	Lodgings Tax (\$0.01)		3,590,361	
	Receipts collected under the provisions of Section 40-26-1 et seq., <u>Code of Alabama 1975.</u>			
	Total Bureau of Tourism and Travel	1,422,689	3,590,361	5,013,050
126.	TREASURER, STATE:			
(a)	Fiscal Management Program			1,648,353
	SOURCE OF FUNDS:			
(1)	State General Fund	1,648,353		
	Total State Treasurer	1,648,353		1,648,353
127.	UNIFORM STATE LAWS, ALABAMA COMMISSION ON:			
(a)	Special Services Program, Estimated			6,500
	SOURCE OF FUNDS:			
(1)	State General Fund	6,500		
	As provided in Section 41- 9-374, <u>Code of Alabama 1975.</u>			
	Total Alabama Commission on Uniform State Laws	6,500		6,500
128.	VETERANS' AFFAIRS, DEPARTMENT OF:			
(a)	Administration of Veterans' Affairs Program			2,860,397
	SOURCE OF FUNDS:			
(1)	State General Fund	2,860,397		
	Total Department of Veterans' Affairs	2,860,397		2,860,397
129.	VETERINARY MEDICAL EXAMINERS, ALABAMA STATE BOARD OF:			
(a)	Professional and Occupational Licensing and Regulation Program			145,000
	SOURCE OF FUNDS:			
(1)	State Board of Veterinary Medical Examiners Fund		145,000	

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
As provided in Section 34-29-23 and Section 34-29-41, <u>Code of Alabama 1975</u> .				
Total Alabama State Board of Veterinary Medical Examiners			145,000	145,000
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130. WOMEN'S COMMISSION, ALABAMA:				
(a) Employment and Social Op- portunities Program				9,980
SOURCE OF FUNDS:				
(1) State General Fund		9,980		
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Total Alabama Women's Commission		9,980		9,980
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131. WOMEN'S HALL OF FAME, ALABAMA:				
(a) Historical Resources Manage- ment Program				5,662
SOURCE OF FUNDS:				
(1) State General Fund		5,662		
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Total Alabama Women's Hall of Fame		5,662		5,662
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132. YOUTH SERVICES, DEPARTMENT OF:				
(a) Youth Services Program				1,909,310
The above appropriation shall be expended in accordance with the provisions of Sections 44- 1-1 through 44-1-56, <u>Code of Alabama 1975</u> .				
(b) Juvenile Probation Officers Subsidy				2,586,863
SOURCE OF FUNDS:				
(1) State General Fund - Youth Services Program		617,977		
(2) State General Fund - Ju- venile Probation Officers Subsidy		2,586,863		
(3) Federal and Local Funds			1,291,333	
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Total Department of Youth Services		3,204,840	1,291,333	4,496,173
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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
133. SPECIAL INDUSTRIAL JOB TRAINING:				
(a)	Industrial Training Program ..			4,000,000
	Not more than the following amounts shall be spent for training in the industries listed below:			
	Chrysler Corporation, Huntsville	2,000,000		
	U.S. Air Force Standards Sys- tems Center, Montgomery	2,000,000		
	SOURCE OF FUNDS:			
	(1) State General Fund	4,000,000		
	Total Special Industrial Job Training	4,000,000		4,000,000
2D. OTHER FUNCTIONS OF GOVERNMENT FUNDED FROM THE STATE GENERAL FUND:				
1. ADVERTISING LANDS FOR TAX SALE:				
(a)	State Revenue Administration Program, Estimated			115,000
	SOURCE OF FUNDS:			
	(1) State General Fund	115,000		
	As provided in Section 40- 10-22, <u>Code of Alabama</u> 1975.			
	Total Advertising Lands for Tax Sale	115,000		115,000
2. ARREST OF ABSCONDING FELONS:				
(a)	Criminal Investigation Pro- gram, Estimated			65,000
	SOURCE OF FUNDS:			
	(1) State General Fund	65,000		
	As provided in Section 15- 9-3, <u>Code of Alabama</u> 1975.			
	Total Arrest of Absconding Felons	65,000		65,000
3. ATTORNEYS' FEES FOR REAPPORTIONMENT CASES:				
(a)	Legal Advice and Legal Ser- vices Program, Estimated			50,000

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
SOURCE OF FUNDS:				
	(1) State General Fund	50,000		
Total Attorneys' Fees for Re- apportionment Cases		50,000		50,000
4.	AUTOMATIC APPEAL EXPENSE:			
	(a) Legal Advice and Legal Serv- ices Program, Estimated			100
SOURCE OF FUNDS:				
	(1) State General Fund	100		
As provided in Section 12- 22-150 and Section 12-22- 241, <u>Code of Alabama</u> <u>1975.</u>				
Total Automatic Appeal Expense		100		100
5.	CIVIL COURT COSTS IN CONNECTION WITH AD VALOREM TAX ASSESSMENTS APPEALS:			
	(a) State Revenue Administration Program, Estimated			200
SOURCE OF FUNDS:				
	(1) State General Fund	200		
As provided in Section 40- 7-45, <u>Code of Alabama</u> <u>1975.</u>				
Total Civil Court Costs in Connection with Ad Valorem Tax Assessments Appeals		200		200
6.	CONSUMER UTILITY RATE HEARING:			
	(a) Executive Direction Program			250,000
SOURCE OF FUNDS:				
	(1) State General Fund - Transfer	250,000		
As provided in Section 37- 1-18, <u>Code of Alabama</u> <u>1975.</u>				
Total Consumer Utility Rate Hearing		250,000		250,000

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
7.	COURT-ASSESSED COST NOT OTHERWISE PROVIDED FOR:			
(a)	Court-Assessed Cost Provided by Law for Which No Other Appropriations are Made - Special Services Program, Estimated			800,000
	It is the intent of the Legislature that the above appropriation be expended only for costs assessed by state and federal courts and specifically excludes any attorney fees, court judgments or out-of-court settlements except those provided in <u>Code of Alabama 1975, Sections 22-52-14, 30-4-95, 26-17-17 and Acts 87-574 and 88-538.</u>			
(b)	Court-Assessed Attorney Fees in Cases Where the State is a Defendant - Legal Advice and Legal Services Program			200,000
	It is the intent of the Legislature that the above appropriation be released only at the direction of the Governor for statewide court cases.			
	SOURCE OF FUNDS:			
	(1) State General Fund, Estimated	800,000		
	(2) State General Fund	200,000		
	Total Court-Assessed Costs Not Otherwise Provided For ..	1,000,000		1,000,000
8.	COURT COSTS-ACT NO. 558, 1957:			
(a)	Court Operations Program, Estimated			500
	SOURCE OF FUNDS:			
	(1) State General Fund	500		
	Pursuant to Act No. 558, 1957, page 777.			
	Total Court Costs-Act No. 558, 1957	500		500

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
9.	DISTRIBUTION OF PUBLIC DOCUMENTS:			
	(a) Administrative Support Services Program, Estimated			80,000
	SOURCE OF FUNDS:			
	(1) State General Fund	80,000		
	As provided in Sections 41-21-8, 36-14-1, and 36-14-11, <u>Code of Alabama 1975</u> .			
	Total Distribution of Public Documents	80,000		80,000
10.	STATE DOCKS TRANSFER			3,500,000
	SOURCE OF FUNDS:			
	(1) State General Fund - Transfer	3,500,000		
	The above appropriation to the State Docks shall be conditional upon the availability of funds and shall remain in the State General Fund until a demonstrated need is determined and recommended by the Finance Director and approved by the Governor.			
	Total State Docks Transfer	3,500,000		3,500,000
11.	ELECTION EXPENSES:			
	(a) Special Services Program, Estimated			2,500,000
	SOURCE OF FUNDS:			
	(1) State General Fund	2,500,000		
	As provided in Section 17-4-153, <u>Code of Alabama 1975</u> .			
	Total Election Expenses	2,500,000		2,500,000
12.	EMERGENCY FUND, DEPARTMENTAL:			
	(a) Special Services Program			2,000,000
	SOURCE OF FUNDS:			
	(1) State General Fund	2,000,000		
	This is the appropriation contemplated in Section			

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		Fund Sources Included In Appropriation Total		
		General Fund	Trust Fund	Appropriation <u>Total</u>
<p>41-4-94, Code of Alabama 1975, and shall be the only amount appropriated and the total amount expended under the provisions of said section. This appro- priation shall be expended solely for the purpose of addressing a financial emergency within a state department, board, com- mission, bureau, office, or agency. None of the above appropriation shall be transferred to the Gover- nor's contingency fund.</p>				
Total Departmental Emer- gency Fund		2,000,000		2,000,000
13. FAIR TRIAL TAX TRANSFER:				
(a) Court Operations Program, Estimated				500,000
SOURCE OF FUNDS:				
(1) State General Fund - Transfer		500,000		
Total Fair Trial Tax		500,000		500,000
14. FEEDING OF PRISONERS:				
(a) Institutional Services - Correc- tions Program, Estimated				2,000,000
SOURCE OF FUNDS:				
(1) State General Fund		2,000,000		
For expenses of feeding prisoners in county jails in accordance with Section 14-6-42, Code of Alabama 1975.				
Total Feeding of Prisoners		2,000,000		2,000,000
14. DEPARTMENT OF FINANCE- EMPLOYEES' SUGGESTION AWARDS PROGRAM:				
(a) Fiscal Management Program				15,000
SOURCE OF FUNDS:				
(1) State General Fund		15,000		

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
In accordance with Section 36-1-7, <u>Code of Alabama 1975.</u>				
Total Department of Finance-Employees' Suggestion Awards Program		15,000		15,000
<hr/>				
16.	DEPARTMENT OF FINANCE-FEMA:			
(a)	Readiness and Recovery Program, Estimated			1,200,000
	Payments of the State's share of administrative costs and matching grants furnished by the Federal Emergency Management Agency.			
	SOURCE OF FUNDS:			
(1)	State General Fund	1,200,000		
Total Department of Finance-FEMA		1,200,000		1,200,000
<hr/>				
17.	FOREST FIRE FUND, EMERGENCY:			
(a)	Forest Resources Protection and Development Program			180,000
	SOURCE OF FUNDS:			
(1)	State General Fund - Transfer	180,000		
	As provided by Section 9-3-10.1, <u>Code of Alabama 1975.</u>			
Total Emergency Forest Fire Fund		180,000		180,000
<hr/>				
18.	GOVERNOR'S CONFERENCE, NATIONAL:			
(a)	Executive Direction Program			135,760
	SOURCE OF FUNDS:			
(1)	State General Fund	135,760		
Total National Governor's Conference		135,760		135,760
<hr/>				
19.	GOVERNOR'S COUNCILLOR:			
(a)	Executive Direction Program, Estimated			26,000
	SOURCE OF FUNDS:			
(1)	State General Fund	26,000		

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
As provided in Section 36-13-13, <u>Code of Alabama 1975.</u>				
Total Governor's Councillor ...		26,000		26,000
20.	GOVERNOR'S PROCLAMATION EXPENSES:			
(a)	Executive Direction Program, Estimated			200,000
SOURCE OF FUNDS:				
(1)	State General Fund	200,000		
As provided in Section 17-14-21, <u>Code of Alabama 1975.</u>				
Total Governor's Proclamation Expenses		200,000		200,000
21.	GOVERNORS' WIDOWS RETIREMENT:			
(a)	Executive Direction Program, Estimated			14,400
SOURCE OF FUNDS:				
(1)	State General Fund	14,400		
As provided in Section 36-13-12, <u>Code of Alabama 1975.</u>				
Total Governors' Widows Retirement		14,400		14,400
22.	INTERPRETER'S ACCOUNT:			
(a)	Court Operations Program, Estimated			2,500
SOURCE OF FUNDS:				
(1)	State General Fund	2,500		
As provided in Sections 21-131 et seq., <u>Code of Alabama 1975.</u>				
Total Interpreter's Account ...		2,500		2,500
23.	LAW ENFORCEMENT FUND:			
(a)	Criminal Investigation Program, Estimated			2,500
SOURCE OF FUNDS:				
(1)	State General Fund - Transfer	2,500		

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
As provided in Section 28-4-312, <u>Code of Alabama 1975.</u>				
Total Law Enforcement Fund		2,500		2,500
24.	LAW ENFORCEMENT LEGAL DEFENSE:			
(a)	Legal Advice and Legal Services Program, Estimated			3,000
SOURCE OF FUNDS:				
(1)	State General Fund	3,000		
To carry out provisions of Section 36-21-1, <u>Code of Alabama 1975.</u>				
Total Law Enforcement Legal Defense		3,000		3,000
25.	LIABILITY INSURANCE FUND, STATE			
				1,000,000
SOURCE OF FUNDS:				
(1)	State General Fund - Transfer	1,000,000		
As provided in Section 36-1-6.1, <u>Code of Alabama 1975.</u>				
Total State Liability Insurance Fund		1,000,000		1,000,000
Of the above appropriation \$40,000 is hereby appropriated to the Liability Insurance Board for administrative expenses.				
26.	MAILING TAX NOTICES:			
(a)	State Revenue Administration Program, Estimated			100
SOURCE OF FUNDS:				
(1)	State General Fund	100		
As provided in Section 40-7-25, <u>Code of Alabama 1975.</u>				
Total Mailing Tax Notices		100		100

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
27.	MILITARY - EMERGENCY ACTIVE DUTY PAY:			
	(a) Military Operations Program, Estimated			300,000
	SOURCE OF FUNDS:			
	(1) State General Fund	300,000		
	As provided in Section 31- 2-85, <u>Code of Alabama</u> 1975.			
	Total Military - Emergency Active Duty Pay	300,000		300,000
28.	POLICEMAN'S SURVIVOR TUITION ACT:			
	(a) Support of Other Educational Activities Program, Estimated			30,000
	SOURCE OF FUNDS:			
	(1) State General Fund	30,000		
	As provided in Sections 36- 21-95 through 36-21-99, <u>Code of Alabama 1975.</u>			
	Total Policeman's Survivor Tuition Act	30,000		30,000
29.	PRESIDENTIAL ELECTORAL EXPENSE:			
	(a) Administrative Support Serv- ices Program, Estimated			2,000
	SOURCE OF FUNDS:			
	(1) State General Fund	2,000		
	As provided in Section 17- 19-8, <u>Code of Alabama</u> 1975.			
	Total Presidential Electoral Expense	2,000		2,000
30.	PRINTING OF CODE SUPPLEMENTS - LEGISLATIVE REFERENCE SERVICE:			
	(a) Legislative Operations and Support Program, Estimated			500,000
	SOURCE OF FUNDS:			
	(1) State General Fund	500,000		

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
As provided in Section 29-7-6, Code of Alabama 1975.				
Total Printing of Code Supplements - Legislative Reference Service		500,000		500,000
<hr/>				
31. PRINTING CODES AND SUPPLEMENTS - SECRETARY OF STATE:				
(a) Administrative Support Services Program, Estimated				165,000
SOURCE OF FUNDS:				
(1) State General Fund		165,000		
As provided in Sections 41-21-1 and 41-21-154, Code of Alabama 1975.				
<hr/>				
Total Printing Codes and Supplements - Secretary of State		165,000		165,000
<hr/>				
32. PRINTING OF LEGISLATIVE ACTS AND JOURNALS:				
(a) Administrative Support Services Program, Estimated				500,000
SOURCE OF FUNDS:				
(1) State General Fund		500,000		
As provided in Sections 41-4-130 through 41-4-161, Code of Alabama 1975.				
<hr/>				
Total Printing of Legislative Acts and Journals		500,000		500,000
<hr/>				
33. PRINTING OF STATE AND COUNTY PRIVILEGE LICENSES:				
(a) State Revenue Administration Program, Estimated				25,000
SOURCE OF FUNDS:				
(1) State General Fund		25,000		
<hr/>				
Total Printing of State and County Privilege Licenses		25,000		25,000
<hr/>				
34. REGISTRATION OF VOTERS:				
(a) Special Services Program, Estimated				1,000,000
SOURCE OF FUNDS:				
(1) State General Fund		1,000,000		

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	Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
	General Fund	Trust Fund	
In accordance with Sections 17-4-126 and 17-4-153, <u>Code of Alabama 1975.</u>			
Total Registration of Voters ...	1,000,000		1,000,000

35. REMOVAL OF PRISONERS:

- (a) Administrative Services and Logistical Support Program, Estimated 300,000

SOURCE OF FUNDS:

- (1) State General Fund 300,000

As provided in Sections 15-10-70 through 15-10-73 and 15-9-62, 15-9-65, and 15-9-81, Code of Alabama 1975.

Total Removal of Prisoners	300,000	300,000
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36. DEPARTMENT OF FINANCE-CAPITAL OUTLAY:

- (a) Administrative Support Services Program 385,000

SOURCE OF FUNDS:

- (1) State General Fund - Capital Outlay 385,000

Total Department of Finance - Capital Outlay	385,000	385,000
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For the regrading and reconstruction of the parking lot located between the Alabama State House and the Folsom Administrative Building. The above appropriation to the Department of Finance-Capital Outlay shall be conditional upon the availability of funds and shall remain in the State General Fund until a demonstrated need is determined and recommended by the Finance Director and approved by the Governor.

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
37.	STATE GENERAL FUND, ESTIMATED			57,000,000
	SOURCE OF FUNDS:			
	(1) Heritage Trust Income Fund Transfer, Estimated		57,000,000	
	All income other than in- come realized on sale of Trust Fund assets and not otherwise appropriated herein.			
	Total State General Fund, Estimated		57,000,000	57,000,000
38.	STATE TREASURER- PREVIOUS YEAR'S UNPAID WARRANTS:			
	(a) Special Services Program, Estimated			275,000
	SOURCE OF FUNDS:			
	(1) State General Fund	275,000		
	As provided in Section 41- 4-60, <u>Code of Alabama</u> 1975.			
	Total State Treasurer-Pre- vious Year's Unpaid Warrants	275,000		275,000
39.	DEPARTMENT OF FINANCE- CAPITAL RENOVATION:			
	(a) Special Services Program, Estimated			3,000,000
	SOURCE OF FUNDS:			
	(1) State General Fund - Cap- ital Outlay	3,000,000		
	Total Department of Finance- Capital Renovation	3,000,000		3,000,000
2E.	DEBT SERVICE FUNDED FROM THE STATE GENERAL FUND:			
	1. General Obligation Capital Improve- ment Bonds, Series B, Estimated ...			1,184,000
	SOURCE OF FUNDS:			
	(1) State General Fund - Transfer	1,184,000		

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
Total General Obligation Capital Improvement Bonds, Series B, Estimated		1,184,000		1,184,000
2.	General Obligation Coosa Waterway Bonds, Series A and B, Estimated ..			1,015,270
SOURCE OF FUNDS:				
	(1) State General Fund - Transfer	1,015,270		
Total General Obligation Coosa Waterway Bonds, Series A and B, Estimated		1,015,270		1,015,270
3.	General Obligation Docks Facilities Bonds, Series A-C, Estimated			4,599,000
SOURCE OF FUNDS:				
	(1) State General Fund - Transfer	4,599,000		
Total General Obligation Docks Facilities Bonds, Series A-C, Estimated		4,599,000		4,599,000
4.	Tennessee-Tombigbee Waterway Bonds, Series A and C-D, Estimated			3,401,367
SOURCE OF FUNDS:				
	(1) State General Fund - Transfer, Estimated	3,401,367		
	Pursuant to Constitutional Amendment No. 270 as provided in Act No. 248, 1967 Regular Session.			
Total Tennessee-Tombigbee Waterway Bonds, Series A and C-D, Estimated		3,401,367		3,401,367
5.	Corrections Institution Bonds, Estimated			1,817,000
SOURCE OF FUNDS:				
	(1) State General Fund - Transfer, Estimated	1,817,000		
	Pursuant to Constitutional Amendment No. 374 as provided for in Act No. 134, 1978 Second Special Session.			

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	Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
	General Fund	Trust Fund	
Total Corrections Institution Bonds, Estimated	1,817,000		1,817,000
6. General Obligation Capital Bonds, 1982, Series A and B, and General Obligation Refunding Bonds, 1983, Series A and B, Estimated			66,665,897
SOURCE OF FUNDS:			
(1) State General Fund - Transfer	66,665,897		
Total General Obligation Cap- ital Bonds, 1982, Series A and B, and General Obligation Re- funding Bonds, 1983, Series A and B, Estimated	66,665,897		66,665,897

2F. CONDITIONAL APPROPRIATIONS:

In addition to the appropriations here-
tofor made there is hereby appropriated
to the following agencies from the State
General Fund the following amounts to
be conditioned on the availability of funds
in the State General Fund, the recom-
mendations of the Finance Director and
approval of the Governor.

1. Examiners of Public Accounts	560,665
2. Law Institute	42,333
3. Legislative Fiscal Office	92,462
4. Legislative Reference Service	59,008
5. Unified Judicial System (Adminis- trative Office of Courts)	1,849,132
6. Agricultural and Conservation De- velopment Commission	1,000,000
7. Agriculture and Industries Department	291,089
8. Alabama Trust Fund Board	200,000
9. Archives and History	476,889
10. Attorney General's Office	41,742
11. Building Commission	33,453
12. Corrections, Department of-Open- ing Clayton and Clio Prisons	1,800,000
13. Corrections, Department of	300,000
14. Criminal Justice Information Center	400,000
15. Alabama Development Office	1,005,611

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	Fund Sources Included In Appropriation Total		Appropriation Total
	General Fund	Trust Fund	
16. Alabama Department of Economic and Community Affairs			3,000,000
17. Forensic Sciences			283,058
18. Geological Survey			200,000
19. Health, Department of Public-State Health Lab Repair			410,000
20. Health, Department of Public			3,000,000
21. Human Resources, Department of- Additional Day Care Slots			1,500,000
22. Human Resources, Department of- Group Homes			1,000,000
23. Human Resources, Department of ..			1,000,000
24. Medicaid Agency			5,768,079
25. Public Safety, AFIS			2,500,000
26. Public Safety			4,000,000
27. Secretary of State-Voter Registra- tion File Maintenance System			380,000
28. Finance-Capitol Renovation			6,000,000
29. Repayment Act 86-645 Fund No. 305735			7,000,000

SECTION 3. That, except as may be herein otherwise provided, amounts herein specifically appropriated shall be in lieu of the amounts heretofore provided or appropriated by law for such purposes. That the amounts herein appropriated are the maximum amounts to be expended for the purposes herein designated and in no event shall the maximum expenditure provided for any items of expense exceed the amount allocated herein except as may be provided for under Sections 5 and 6 of this bill, as provided in the Budget Management Act of 1976, Sections 41-19-1 et seq., Code of Alabama 1975, and those appropriations herein made, except appropriations to the Alabama Alcoholic Beverage Control Board for the purchase of alcoholic beverages, are and shall be subject to the terms, conditions, provisions and limitations of Sections 41-4-80 et seq., Code of Alabama 1975, and the Budget Management Act of 1976, Sections 41-19-1 et seq., Code of Alabama 1975.

SECTION 4. That any surplus remaining in any appropriation herein made from the State General Fund to any office, department, bureau, board, commission or agency may be transferred, on order of the Governor, to any other appropriation herein made from the State General Fund when such appropriation to any office, department, bureau, board, commission, or agency is insufficient to pay salaries in that office, department, bureau, board, commission or agency.

SECTION 5. In addition to appropriations herein made, all gifts, grants, contributions, appropriations, or entitlements, in excess of the amount carried in the bill, including grants by the Congress of the United States, municipalities or counties, to any department, division, board, bureau, commission, agency, institution, office or officer of the State of Alabama are hereby appropriated and, in the event the same are recurring, are reappropriated to such department, division, board, bureau, commission, agency, institution, office or officer to be used only for the

purpose or purposes for which the grant or contribution was or shall be made. Further, all state, county, municipal and educational entities are authorized to disburse such sums as deemed necessary by mutual agreement between said entities and the State of Alabama, Department of Examiners of Public Accounts to partially defray the cost of auditing services performed by said agency. All such sums are hereby appropriated and reappropriated if necessary to the Department of Examiners of Public Accounts for audit services, to be expended through the fund established by Section 41-5-24, Code of Alabama 1975.

SECTION 6. All interest earned from funds paid into Account No. 305735 by Act 87-761 and this act are hereby appropriated for general government to be spent at the discretion of the Governor. Any other interest earned by the state from Revenue Sharing Investments under the State and Local Fiscal Assistance Act of 1972, as amended, Public Law 92-512, 92nd Congress, together with any accruals or reversions thereon are hereby appropriated to the State General Fund.

SECTION 7. All encumbered balances of a previous fiscal year appropriation other than the exclusions authorized in Section 41-4-93, Code of Alabama 1975, shall lapse on September 30 of the fiscal year immediately following the fiscal year for which the appropriation was made and shall revert to the credit of the State General Fund or the trust fund from which the appropriation or appropriations were made.

SECTION 8. The appropriations made herein to the departments, boards, offices, commissions, and agencies include the amount necessary and said departments, boards, offices, commissions, and agencies are hereby directed to make the transfer of funds to the State Personnel Department in said amounts enumerated in Section 2C, subsection 101.

SECTION 9. That, if any section, paragraph, sentence, clause, provision, or portion of this Act or all or any portion of any appropriations herein made be held unconstitutional or invalid, it shall not affect any other section, paragraph, sentence, clause, provision or portion of this Act or any other appropriation or appropriations or portion thereof hereby made not in and of itself unconstitutional or invalid.

SECTION 10. That all laws and parts of laws, general, special, private, or local in conflict with or inconsistent with the provisions of this Act be and the same are hereby expressly repealed.

SECTION 11. That each Department of the State funded through the provisions of this budget shall provide an equal opportunity for employment and business opportunities for all citizens of this state without regard to sex or race.

SECTION 12. That this Act shall become effective October 1, 1988.

The Standing Committee on Finance and Taxation then reported the following amendment to the substitute for the Bill, H. B. 27, to-wit:

AMENDMENT TO SUBSTITUTE FOR H. B. 27

Amend House Bill 27 as substituted on Page 6, Line 12, by deleting the figure "55,978,976" and inserting in lieu thereof the figure "57,675,108."

Further amend House Bill 27 as substituted on Page 6, Line 13, by deleting the figure "3,400,000" and inserting in lieu thereof the figure "3,550,000."

Further amend House Bill 27 as substituted on Page 6, Line 14, by deleting the figure "98,000" and inserting in lieu thereof the figure "101,000."

Further amend House Bill 27 as substituted on Page 6, Line 17, by deleting the figure "59,476,976" and inserting in lieu thereof the figure "61,326,108."

Further amend House Bill 27 as substituted on Page 6, Line 21, by deleting the figures "59,776,976" wherever they appear and inserting in lieu thereof the figures "61,626,108."

On motion of Senator Manley, said amendment was laid on the table.

And on motion of Senator Horn, said substitute was laid on the table.

Senator Horn then offered the following substitute for the Bill, H. B. 27, to-wit:

SUBSTITUTE FOR H. B. 27

**A BILL
TO BE ENTITLED
AN ACT**

To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, for other functions of government, for interest on the public debt, and for capital outlay for the fiscal year ending September 30, 1989.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

SECTION 1. The monies in Section 2 are appropriated from the named funds for the 1988-89 fiscal year to the state agency indicated, as the amounts to be used to pay the expenditures of the named agencies, and are in lieu of all monies appropriated for these purposes in other sections of the Alabama Statutes.

For the purpose of this Act, the amounts herein for expenditures are listed by programmatic area and the totals for all programs are shown by the source of funds. It is intended that only the named funds be appropriated to the agency concerned; and that the following definitions shall be applicable:

- (a) "Appropriation Total" shall mean the aggregate total of all fund sources.
- (b) "Program" shall mean specific governmental services required to achieve a specific objective. A program shall be directed to meeting the need of an identified clientele, or group of recipients or beneficiaries.
- (c) "Capital Outlay" shall mean expenditures which result in the acquisition and/or addition to items, such as land or buildings, which have an appreciable and calculable period of usefulness in excess of one year, and shall be expended only for such purposes.
- (d) "Debt Service" shall mean an expenditure for the payment of interest and principal on all bonded debt obligations of the State, and shall be expended only for such purposes.

SECTION 2. There is hereby appropriated for the ordinary expenses of the executive, legislative, and judicial departments of the State and for the principal and interest on the public debt for the fiscal year ending September 30, 1989, and for other functions of government to be paid out of any monies hereinafter specified, from such other funds and accounts as may be designated, or so much thereof as may be necessary, and the total amount to be expended for the items for which the appropriation is herein made shall not exceed the amount provided therefor, except as provided in the Budget Management Act of 1976, Sections 41-19-1 through 12, Code of

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Alabama 1975. Provided, however, that regardless of the ending date of any pay period which has been or may be established by the Legislature for the payment of salaries of state employees, the entire payment due shall be made from the fiscal year's appropriation in which the pay date falls.

		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
2A. LEGISLATIVE:				
1. EXAMINERS OF PUBLIC ACCOUNTS, DEPARTMENT OF:				
(a)	Legislative Support-Audit Services Program			8,425,687
SOURCE OF FUNDS:				
(1)	State General Fund	8,225,687		
(2)	Federal Funds		200,000	
Total Department of Exam- iners of Public Accounts		8,225,687	200,000	8,425,687
2. LEGISLATIVE COUNCIL:				
(a)	Legislative Operations and Support Program			212,200
SOURCE OF FUNDS:				
(1)	State General Fund	212,200		
Pursuant to Section 29-6- 1 et seq., <u>Code of Alabama</u> <u>1975.</u>				
Total Legislative Council		212,200		212,200
3. LEGISLATIVE FISCAL OFFICE:				
(a)	Legislative Operations and Support Program (to include program review and evaluation)			948,809
SOURCE OF FUNDS:				
(1)	State General Fund	948,809		
Total Legislative Fiscal Office		948,809		948,809
4. LEGISLATIVE REFERENCE SERVICE:				
(a)	Legislative Operations and Support Program			1,094,243
SOURCE OF FUNDS:				
(1)	State General Fund	1,094,243		

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
Total Legislative Reference Service		1,094,243		1,094,243
5.	LEGISLATURE:			
	(a) Legislative Operations and Support Program			8,898,709
	It is the intent of the Legisla- ture that (1) the above appro- priation shall include funds for the necessary technical ex- penses associated with reap- portionment (2) that at least \$50,000 shall be allocated for the Senate Finance and Taxa- tion Committee, the Office of the Senate Pro Tempore and the Senate Rules Committee and (3) that at least \$50,000 shall be allocated for the Ways and Means Committee, the House Rules Committee, and the Speaker of the House Of- fice. The appropriation to the Legislature shall be expended under the provisions set forth in Section 29-1-22, <u>Code of Alabama 1975</u> .			
	SOURCE OF FUNDS:			
	(1) State General Fund	8,798,709		
	(2) Public Service Commis- sion Operating Fund - Transfer		100,000	
	The above transfer from the Public Service Com- mission Operating Fund is hereby authorized pur- suant to Section 29-1-22, Code of Alabama 1975.			
	Total Legislature	8,798,709	100,000	8,898,709
6.	LEGISLATURES, NATIONAL CONFERENCE OF STATE:			
	(a) Legislative Operations and Support Program			72,667
	SOURCE OF FUNDS:			
	(1) State General Fund	72,667		
	Total National Conference of State Legislatures	72,667		72,667

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
2B. JUDICIAL:				
1.	COURT OF CIVIL APPEALS:			
	(a)	Court Operations Program		1,156,729
		SOURCE OF FUNDS:		
		(1) State General Fund	1,156,729	
		Total Court of Civil Appeals ..	1,156,729	1,156,729
2.	COURT OF CRIMINAL APPEALS:			
	(a)	Court Operations Program		1,729,106
		SOURCE OF FUNDS:		
		(1) State General Fund	1,729,106	
		Total Court of Criminal Appeals	1,729,106	1,729,106
3.	JUDICIAL INQUIRY COMMISSION:			
	(a)	Administrative Services Program		103,990
		SOURCE OF FUNDS:		
		(1) State General Fund	103,990	
		Total Judicial Inquiry Commission	103,990	103,990
4.	JUDICIAL RETIREMENT FUND:			
	(a)	Retirement Systems Program		1,524,500
		SOURCE OF FUNDS:		
		(1) State General Fund	1,524,500	
		Total Judicial Retirement Fund	1,524,500	1,524,500
5.	SUPREME COURT:			
	(a)	Court Operations Program		4,455,494
		SOURCE OF FUNDS:		
		(1) State General Fund	4,455,494	
		Total Supreme Court	4,455,494	4,455,494
6.	UNIFIED JUDICIAL SYSTEM:			
		(Administrative Office of Courts)		
	(a)	Court Operations Program		57,675,108
	(b)	Administrative Services Program		3,550,000

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	Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
	General Fund	Trust Fund	
(c) DUI Referral Program			101,000
(d) Fringe Benefit Program, Estimated			300,000
SOURCE OF FUNDS:			
(1) State General Fund	61,148,108		
(2) State General Fund-Social Security-County Judicial, Estimated	300,000		
(3) Clerks and Registers Su- pernumery Fund		178,000	
Total Unified Judicial System	61,448,108	178,000	61,626,108

2C. EXECUTIVE:

**1. ACADEMY OF HONOR,
ALABAMA:**

(a) Historical Resources Manage- ment Program	1,784
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SOURCE OF FUNDS:

(1) State General Fund	1,784	
As provided in Section 41- 11-6, <u>Code of Alabama</u> 1975, and an additional amount.		
Total Alabama Academy of Honor	1,784	1,784

**2. ACCOUNTANCY, ALABAMA
STATE BOARD OF PUBLIC:**

(a) Professional and Occupational Licensing and Regulation Program	341,699
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SOURCE OF FUNDS:

(1) Alabama State Board of Public Accountancy Fund	341,699
As provided in Section 34- 1-22, <u>Code of Alabama</u> 1975. In addition to the amounts appropriated hereinabove to the State Board of Public Accoun- tancy, there is hereby ap- propriated such an amount as may be necessary to pay	

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
the refund of any applica- tion for license which may have been rejected by the Board or withdrawn by re- quest of applicant.				
Total Alabama State Board of Public Accountancy			341,699	341,699
3.	ADJUSTMENT, BOARD OF:			
(a)	Special Services Program			222,400
SOURCE OF FUNDS:				
(1)	State General Fund	11,200		
For the State General Fund Contribution to the total expenditure of \$750,000 pursuant to Sec- tion 41-9-73, <u>Code of Ala- bama 1975.</u>				
(2)	State General Fund, Estimated	200,000		
For expenditures as pro- vided in Section 31-3-2 and Section 36-30-2, <u>Code of Alabama 1975.</u>				
(3)	State General Fund - Ad- ministrative Costs	11,200		
Total Board of Adjustment ...		222,400		222,400
4.	AERONAUTICS, DEPARTMENT OF:			
(a)	Airport Development and Aer- onautical Support Program			867,986
SOURCE OF FUNDS:				
(1)	Airport Development Fund		867,986	
As provided by Section 4- 2-42, <u>Code of Alabama 1975.</u>				
Total Department of Aeronautics			867,986	867,986
5.	AGING, COMMISSION ON:			
(a)	Planning and Advocacy for the Elderly Program			16,811,890
(b)	Medicaid Waiver Services Program			6,346,725

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	Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
	General Fund	Trust Fund	
SOURCE OF FUNDS:			
(1) State General Fund - Transfer	1,445,701		
(2) State General Fund - Transfer Medicaid Waiver	1,770,580		
(3) Federal, Local and Miscel- laneous Funds		19,942,334	
Total Commission on Aging ..	3,216,281	19,942,334	23,158,615

The Commission on Aging shall contract with the existing Regional Planning Commissions or Councils of Local Governments and/or Area Agencies on Aging to provide services for one-third of the State's present and future client slots for the program known as the "Medicaid Waiver Services Program-Home and Community-Based Waiver for the Elderly and Disabled". The Commission on Aging shall not withdraw Area Agency on Aging designations or alter the funding relationships with existing Area Agencies on Aging and Regional Planning Development Commissions.

6. AGRICULTURAL AND
CONSERVATION
DEVELOPMENT
COMMISSION:

(a) Water Resource Development Program	2,219,926
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SOURCE OF FUNDS:

(1) State General Fund - Transfer	2,149,926		
(2) Miscellaneous Funds		70,000	
As provided in Section 9- 8A-4.1, <u>Code of Alabama</u> <u>1975.</u>			
Total Agricultural and Conser- vation Development Commission	2,149,926	70,000	2,219,926

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
7.	AGRICULTURAL CENTER BOARD:			
	(a) Agricultural Development Services Program			874,749
	SOURCE OF FUNDS:			
	(1) State General Fund	169,354		
	For expense and awarding of prizes for fairs as pro- vided in Section 2-7-21, <u>Code of Alabama 1975</u> , and other livestock shows and expositions.			
	(2) State General Fund - Transfer-Operations	122,603		
	(3) State General Fund - Transfer-Livestock Coliseum	282,982		
	(4) Livestock Coliseum Fund		299,810	
	Total Agricultural Center Board	574,939	299,810	874,749
8.	AGRICULTURE AND INDUSTRIES, DEPARTMENT OF:			
	(a) Administrative Services Program			2,471,546
	(b) Agricultural Inspection Ser- vices Program			10,050,697
	(c) Laboratory Analysis and Dis- ease Control Program			4,017,534
	(d) Agricultural Development Services Program			1,966,507
	SOURCE OF FUNDS:			
	(1) State General Fund - Transfer	7,694,380		
	(2) Federal, Local and Miscel- laneous Funds		2,295,904	
	(3) Shipping Point Inspection Fund		4,228,805	
	Pursuant to Sections 2-9- 20 et seq., <u>Code of Ala- bama 1975</u> . All fees and charges collected by the Commissioner of Agricul- ture and Industries and			

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
deposited into said fund, and such appropriation to the Department of Agri- culture and Industries shall include all fees and charges collected and deposited therein for Shipping Point Inspection grading and classification services for agricultural products in- cluding services furnished for weighing and issuing weight certificates to be used for the sale of agri- cultural commodities.				
(4) Agricultural Fund		4,287,195		
Total Department of Agricul- ture and Industries		7,694,380	10,811,904	18,506,284
8A. AGRICULTURAL AND INDUSTRIAL EXHIBIT COMMISSION, ALABAMA:				
(a) Agricultural Development Services Program				50,000
SOURCE OF FUNDS:				
(1) State General Fund		50,000		
Total Agricultural and Indus- trial Exhibit Commission		50,000	50,000	
9. ALABAMA TRUST FUND BOARD:				
(a) Administrative Program				35,886
SOURCE OF FUNDS:				
(1) State General Fund - Transfer		35,886		
Total Alabama Trust Fund Board		35,886	35,886	
10. ALCOHOLIC BEVERAGE CONTROL BOARD, ALABAMA:				
(a) Alcoholic Beverage Manage- ment Program				22,029,145
(b) Enforcement Program				5,886,000
The level and type of services to be provided by the Alcoholic				

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Fund Sources Included In Appropriation Total		
General Fund	Trust Fund	Appropriation Total
Beverage Control Board for the Enforcement Program in fiscal year 1988-89 shall not be reduced below the level of services provided in this program in fiscal year 1987-88.		
(c) Administrative Services Program		4,044,840
Any other provision of law to the contrary notwithstanding, the appropriation to the Alabama Alcoholic Beverage Control Board shall include a transfer to the Department of Mental Health and Mental Retardation of \$1,000,000 and a transfer to the Department of Public Health of \$4,000,000. The appropriation to the Alabama Alcoholic Beverage Control Board shall include a transfer of \$200,000 to the State General Fund. The above transfers shall be made from the operating funds of the Alcoholic Beverage Control Board and shall not affect any distribution of revenue generated from the sale of alcoholic beverages.		
SOURCE OF FUNDS:		
(1) ABC Board Fund		31,959,985
The Alabama Alcoholic Beverage Control Board is hereby prohibited from opening any new, additional or relocated retail stores during fiscal year 1988-89 in any county that legally sells alcoholic beverages as of October 1, 1988, except in counties or municipalities that elect to go wet during said fiscal year. The sum appropriated for the operation of retail stores as provided herein shall be reduced in like manner for each retail store closed or withdrawn		

Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
General Fund	Trust Fund	

from operation during the same period. There is further appropriated to the Alabama Alcoholic Beverage Control Board, after provision has been made for the other expenditures herein authorized, such sums as are or may be necessary to purchase the alcoholic beverages which are essential to maintain adequate stocks and inventory for an economic and successful sales operation. In addition to the above appropriation, it is further provided that, in the event any county or municipality of the State shall, during the fiscal period covered by this appropriation by proper referendum, authorize the legal sale of malt and brewed beverages within such county or municipality there is further appropriated, in addition to the amount herein set out, an amount comparable to that expended during the prior fiscal year for beer and license tax supervision within counties or municipalities of similar size and population. Provided, further that the amount appropriated herein shall be reduced in like manner in the event any county or municipality wherein malt and brewed beverages are now authorized by law to be sold shall, during the fiscal period covered by this appropriation by proper referendum, declare unlawful the sale in such county or municipality of such malt or brewed beverages.

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
Total Alabama Alcoholic Beverage Control Board			31,959,985	31,959,985
11.	ARCHITECTS, BOARD FOR REGISTRATION OF:			
(a)	Professional and Occupational Licensing and Regulation Program			215,000
SOURCE OF FUNDS:				
(1)	Fund of the Board for Registration of Architects		215,000	
	As provided in Section 34-2-41, <u>Code of Alabama 1975.</u>			
Total Board for Registration of Architects			215,000	215,000
12.	ARCHIVES AND HISTORY, DEPARTMENT OF:			
(a)	Historical Resources Management Program			2,677,157
SOURCE OF FUNDS:				
(1)	State General Fund	2,556,787		
(2)	Federal Funds		120,370	
Total Department of Archives and History		2,556,787	120,370	2,677,157
13.	ATTORNEY GENERAL, OFFICE OF THE:			
(a)	Legal Advice and Legal Services Program			6,423,466
(b)	Fair Marketing Practices Program			569,687
SOURCE OF FUNDS:				
(1)	State General Fund - Transfer	5,795,232		
(2)	State General Fund - Transfer - Consumer Protection	513,698		
(3)	Federal, Local and Miscellaneous Funds		684,223	
Total Office of the Attorney General		6,308,930	684,223	6,993,153
In addition to the above appropriation to the Office of the Attorney General, there is hereby				

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
appropriated the amount of \$611,000 to be conditional upon it being used solely to continue operation of a Drug Enforcement Division. Said funds will also be available for use as a state match for Federal Drug Grants and other Federal Grants; any unused funds will remain part of the overall General Fund and will not be allotted to the Office of the Attorney General.				
14.	AUDITOR, STATE:			
	(a) Fiscal Management Program			811,565
	SOURCE OF FUNDS:			
	(1) State General Fund	811,565		
	Total State Auditor	811,565		811,565
15.	BANKING DEPARTMENT, STATE:			
	(a) Charter, License and Regulate Financial Institutions Program			2,828,141
	SOURCE OF FUNDS:			
	(1) Banking Assessment Fees		2,522,441	
	As provided in Section 5- 2A-20, <u>Code of Alabama</u> 1975.			
	(2) Loan Examination Fund As provided in Section 5- 2A-24, Section 5-16-38.1, and Section 5-18-5, <u>Code</u> <u>of Alabama 1975.</u>		305,700	
	Total State Banking Department		2,828,141	2,828,141
16.	BAR ASSOCIATION, ALABAMA STATE:			
	(a) Professional and Occupational Licensing and Regulation Program			1,321,875
	SOURCE OF FUNDS:			
	(1) State Bar Association Fund		1,186,220	
	As provided in Section 34- 3-4 and Section 34-3-44, <u>Code of Alabama 1975.</u>			

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
(2) Local Funds, Estimated ...			135,655	
As provided in Sections 34-3-44, 34-3-17 and 34-3-18, Code of Alabama 1975.				
Total Alabama State Bar Association			1,321,875	1,321,875
17.	BEAR CREEK DEVELOPMENT AUTHORITY:			
(a)	Water Resource Development Program			54,535
SOURCE OF FUNDS:				
(1)	State General Fund	54,535		
Total Bear Creek Develop- ment Authority		54,535		54,535
18.	BUILDING COMMISSION, STATE:			
(a)	Special Services Program			1,193,405
SOURCE OF FUNDS:				
(1)	State General Fund - Transfer	792,595		
(2)	Federal, Local and Miscel- laneous Funds		400,810	
Total State Building Commission		792,595	400,810	1,193,405
19.	CAHAWBA ADVISORY COMMITTEE:			
(a)	Historical Resources Manage- ment Program			9,550
SOURCE OF FUNDS:				
(1)	State General Fund	9,550		
Total Cahawba Advisory Committee		9,550		9,550
20.	CHILD ABUSE AND NEGLECT PREVENTION BOARD:			
(a)	Social Services Program			451,909
In accordance with Sections 26-16-1 et seq., Code of Alabama 1975.				

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
SOURCE OF FUNDS:				
(1) State General Fund - Transfer	275,000			
(2) Children's Trust Fund, Estimated			176,909	
Total Child Abuse and Neglect Prevention Board	275,000	176,909		451,909
21. CHIROPRACTIC EXAMINERS, ALABAMA STATE BOARD OF:				
(a) Professional and Occupational Licensing and Regulation Program				75,750
SOURCE OF FUNDS:				
(1) Alabama State Board of Chiropractic Examiner's Fund			75,750	
As provided in Section 34- 24-143, <u>Code of Alabama</u> 1975.				
Total Alabama State Board of Chiropractic Examiners			75,750	75,750
22. CONSERVATION AND NATURAL RESOURCES, DEPARTMENT OF:				
(a) State Land Management Program				610,000
(b) Outdoor Recreation Sites and Services Program				23,386,000
(c) Marine Police Program				3,309,946
(d) Wildlife Game and Fish Program				12,695,500
(e) Marine Resources Program Of the above appropriation, \$50,000 shall be used for the oyster planting program.				2,212,000
(f) Land and Water Conservation Program				1,200,000
(g) Administrative Services Program				2,648,399
The appropriation to the De- partment of Conservation and Natural Resources shall in- clude Alabama's pro rata share				

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	Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
	General Fund	Trust Fund	
of the Gulf States Marine Fisheries Commission operation expenses. The appropriation to the Department of Conservation and Natural Resources includes funds for the maintenance, staff and repair of the Governor's official beach mansion.			
SOURCE OF FUNDS:			
(1) State General Fund - Transfer	536,000		
(2) Game and Fish Fund		12,835,500	
(3) State Lands Fund		610,000	
The funds hereinabove appropriated from the State Lands Fund includes funds for analyzing, cataloging and monitoring mineral reserves and the development thereof on State lands including water and offshore areas.			
(4) Marine Resources Fund		2,022,000	
In addition to the monies hereinabove appropriated from the Marine Resources Fund, all monies derived from contracts, grants or other agreements concerning or relating to marine biological research performed or accomplished at the Marine Resources Division Laboratory at Dauphin Island is hereby appropriated and may be expended by the Commissioner of Conservation on such Marine Resources Division programs or projects which he deems appropriate.			
(5) Marine Police Fund		3,309,946	
(6) State Parks Fund		300,000	
(7) Parks Revolving Fund ...		21,800,000	

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
(8) Administrative Funds			2,648,399	
The funds hereinabove appropriated shall be payable as provided in Section 9-2-1 et seq., Code of Alabama 1975.				
(9) Cigarette Tax			800,000	
(10) Federal Land and Water Fund			1,200,000	
Total Department of Conservation and Natural Resources		536,000	45,525,845	46,061,845
<hr/>				
23. CONTRACTORS, STATE LICENSING BOARD FOR GENERAL:				
(a) Professional and Occupational Licensing and Regulation Program				401,122
SOURCE OF FUNDS:				
(1) State Licensing Board for General Contractors Fund			401,122	
Pursuant to Section 34-8-25, Code of Alabama 1975. In addition to the amounts appropriated hereinabove to the State Licensing Board for General Contractors, there is hereby appropriated such an amount as may be necessary to pay the refund of any application for license which may have been rejected by the Board or application withdrawn by request of applicant.				
Total State Licensing Board for General Contractors			401,122	401,122
<hr/>				
24. CORRECTIONS, DEPARTMENT OF:				
(a) Administrative Services and Logistical Support Program ...				9,243,083
(b) Institutional Services Corrections Program				99,987,991

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
(c)	Correctional Agricultural and Industries Program			19,949,300
	The Department of Corrections shall not utilize any portion of its State General Fund appropriation to support the Correctional Industries Program, for either the agribusiness element or the industries element.			
(d)	Transfer to State General Fund from the Correctional Industries Revolving Fund			1,500,000
	Notwithstanding any other law to the contrary and specifically including Section 5 of Act No. 87-715, it is further the intent of the Legislature that in accordance with Section 14-7-20 of the <u>Code of Alabama, 1975</u> , that this transfer be made.			

SOURCE OF FUNDS:

(1)	State General Fund - Transfer	106,431,074	
(2)	Department of Corrections Fund		24,249,300

The above amount shall include \$1,500,000 to be transferred from the Correctional Industries Revolving Fund to the State General Fund.

The Commissioner of the Department of Corrections is authorized to utilize funds herein appropriated as matching contributions, where required and appropriate, to generate additional funds which would effectively increase the appropriations for the Department of Corrections. Any such grant funds so generated and in direct support of the Department of Corrections' operations are also hereby appropriated.

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
Total Department of Corrections		106,431,074	24,249,300	130,680,374
<p>In addition to the above appropriation to the Department of Corrections, there is hereby conditionally appropriated from the State General Fund \$1,100,000 for expanded facilities at Bullock County and \$6,200,000 for prisons at Clayton and Clio, to be conditioned upon the availability of funds in the State General Fund, the determination of a demonstrated need, recommendation by the Finance Director, and approval of the Governor.</p>				
25. COSMETOLOGY, ALABAMA BOARD OF:				
(a) Professional and Occupational Licensing and Regulation Program				667,590
SOURCE OF FUNDS:				
(1) Alabama Board of Cos- metology Fund			667,590	
As provided in Section 34- 7-42, <u>Code of Alabama</u> <u>1975.</u>				
Total Alabama Board of Cosmetology			667,590	667,590
26. COUNSELING, ALABAMA BOARD OF EXAMINERS IN:				
(a) Professional and Occupational Licensing and Regulation Program				58,700
SOURCE OF FUNDS:				
(1) Alabama Board of Exam- iners in Counseling Fund			58,700	
As provided in Section 34- 8A-6, <u>Code of Alabama</u> <u>1975.</u>				
Total Alabama Board of Ex- aminers in Counseling			58,700	58,700

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
27.	CREDIT UNION ADMINISTRATION, ALABAMA:			
	(a) Charter, License and Regulate Financial Institutions Program			400,700
	SOURCE OF FUNDS:			
	(1) Alabama Credit Union Administration Fund		400,700	
	As provided in Section 5- 17-7, <u>Code of Alabama</u> 1975.			
	Total Alabama Credit Union Administration		400,700	400,700
28.	CRIME VICTIMS COMPENSATION COMMISSION, ALABAMA:			
	(a) Special Services Program, Estimated			416,606
	SOURCE OF FUNDS:			
	(1) Alabama Crime Victims Compensation Commis- sion Fund, Estimated		416,606	
	To be expended in accord- ance with Sections 15-23- 1 et seq., <u>Code of Alabama</u> 1975.			
	Total Alabama Crime Victims Compensation Commission		416,606	416,606
29.	CRIMINAL JUSTICE INFORMATION CENTER, ALABAMA:			
	(a) Criminal Justice Information Services Program			3,666,419
	SOURCE OF FUNDS:			
	(1) State General Fund - Transfer	2,820,503		
	(2) Federal, Local, and Mis- cellaneous Funds		845,916	
	Total Alabama Criminal Jus- tice Information Center	2,820,503	845,916	3,666,419

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
30.	DEVELOPMENT OFFICE, ALABAMA:			
(a)	Promotional Development Program-Alabama Film Commission			250,000
(b)	Administrative Services Pro- gram-Office of Minority Business			95,500
(c)	Industrial Development Pro- gram-Alabama Development Office			4,348,309
(d)	Alabama Reunion			300,000
	SOURCE OF FUNDS:			
(1)	State General Fund - Transfer - Alabama De- velopment Office	4,548,309		
(2)	State General Fund - Transfer - Office of Mi- nority Business	95,500		
(3)	State General Fund - Transfer - Alabama Film Commission	250,000		
(4)	Federal, Local and Miscel- laneous Funds		100,000	
	Total Alabama Development Office	4,893,809	100,000	4,993,809
31.	DISTRICT ATTORNEYS:			
(a)	Court Operations Program			12,071,127
	The proposed spending plan included in the above total is as follows:			
	Salaries of District Attorneys	2,331,897		
	Salary of elected Deputy Dis- trict Attorney of the Bessemer Division of the 10th Judicial Circuit	57,045		
	For the use of the elected As- sistant District Attorney of the Bessemer Division of the 10th Judicial Circuit	136,393		
	Salaries and expenses of Su- pernumerary District Attorneys	1,030,750		

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Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
General Fund	Trust Fund	

For use in the District Attorney's Office of the following Judicial Circuits:

1st Judicial Circuit	120,568	
2nd Judicial Circuit	136,261	
3rd Judicial Circuit	189,349	
4th Judicial Circuit	417,957	
5th Judicial Circuit	385,013	
6th Judicial Circuit	298,183	
7th Judicial Circuit	241,397	
8th Judicial Circuit	180,822	
9th Judicial Circuit	161,132	
10th Judicial Circuit ...	451,552	
11th Judicial Circuit ...	129,936	
12th Judicial Circuit ...	277,388	
13th Judicial Circuit ...	493,642	
14th Judicial Circuit ...	133,803	
15th Judicial Circuit ...	422,423	
16th Judicial Circuit ...	253,380	
17th Judicial Circuit ...	134,374	
18th Judicial Circuit ...	233,389	
19th Judicial Circuit ...	171,909	
20th Judicial Circuit ...	203,906	
21st Judicial Circuit ...	154,027	
22nd Judicial Circuit ..	134,732	
23rd Judicial Circuit ...	336,879	
24th Judicial Circuit ...	127,765	
25th Judicial Circuit ...	122,277	
26th Judicial Circuit ...	218,520	
27th Judicial Circuit ...	169,983	
28th Judicial Circuit ...	210,490	
29th Judicial Circuit ...	230,734	
30th Judicial Circuit ...	223,260	
31st Judicial Circuit ...	125,492	
32nd Judicial Circuit ..	161,680	
33rd Judicial Circuit ...	159,483	
34th Judicial Circuit ...	110,714	
35th Judicial Circuit ...	105,562	
36th Judicial Circuit ...	107,219	

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
37th Judicial Circuit ...	214,054			
38th Judicial Circuit ...	162,133			
39th Judicial Circuit ...	132,213			
Travel Expense of District Attorneys	75,000			
Investigators Subsistence-Sec- tion 36-21-2, <u>Code of Alabama</u> <u>1975</u>	196,441			
SOURCE OF FUNDS:				
(1) State General Fund	12,071,127			
Total District Attorneys	12,071,127			12,071,127
32. ECONOMIC AND COMMUNITY AFFAIRS, ALABAMA DEPARTMENT OF:				
(a) Administrative Support Serv- ices Program				4,460,955
(b) Planning Program				36,853,423
Of the above appropriation, \$2,000,000 shall be allocated for capital facilities to be used for scientific research conducted in the Birmingham area.				
(c) Special Services Program				18,941,180
(d) Skills Enhancement and Em- ployment Opportunities Program				60,914,952
(e) Energy Management Program				14,746,929
(f) Traffic Control and Accident Prevention Program				3,186,905
(g) Law Enforcement Planning and Development Program				3,303,226
(h) Surplus Property Program				1,310,000
(i) Regional Planning Commission				300,000
SOURCE OF FUNDS:				
(1) State General Fund - Transfer	7,233,079			
(2) Federal, Local and Miscel- laneous Funds			131,493,354	
(3) Administrative Transfers			3,981,137	
(4) Administrative Transfers from Federal Donated Sur- plus Property Sales			700,000	

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
(5) Administrative Transfers from State-Owned Surplus Property Sales			610,000	
Total Alabama Department of Economic and Community Affairs		7,233,079	136,784,491	144,017,570
33.	ELECTRICAL CONTRACTORS, BOARD OF:			
(a)	Professional and Occupational Licensing and Regulation Program			93,000
	SOURCE OF FUNDS:			
(1)	Electrical Contractors Board Fees		93,000	
	As provided in Section 34- 36-17, <u>Code of Alabama</u> 1975.			
	Total Board of Electrical Contractors		93,000	93,000
34.	ELK RIVER DEVELOPMENT AGENCY:			
(a)	Water Resource Development Program			4,265
	SOURCE OF FUNDS:			
(1)	State General Fund	4,265		
	Total Elk River Development Agency	4,265		4,265
35.	EMERGENCY MANAGEMENT AGENCY:			
(a)	Readiness and Recovery Program			4,980,194
(b)	Transfer to County Emer- gency Management Agencies			350,000
	The above appropriation of \$350,000 is to be in addition to the regular allocations to county emergency management agen- cies.			
	SOURCE OF FUNDS:			
(1)	State General Fund - Transfer	1,066,148		
(2)	Federal, Local and Miscel- laneous Funds		4,264,046	

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
Total Emergency Manage- ment Agency		1,066,148	4,264,046	5,330,194
36.	ENERGY BOARD, SOUTHERN STATES:			
(a)	Discovery and Development of Mineral, Energy and Water Resources, Geological Re- search and Topographic Map- ping Program			27,149
	SOURCE OF FUNDS:			
(1)	State General Fund	27,149		
	Total Southern States Energy Board	27,149		27,149
37.	ENGINEERS AND LAND SURVEYORS, STATE BOARD OF REGISTRATION FOR PROFESSIONAL:			
(a)	Professional and Occupational Licensing and Regulation Program			397,100
	SOURCE OF FUNDS:			
(1)	Professional Engineers' Fund		397,100	
	As provided in Section 34- 11-36, <u>Code of Alabama</u> <u>1975.</u>			
	Total State Board of Registra- tion for Professional Engineers and Land Surveyors		397,100	397,100
38.	ENVIRONMENTAL MANAGEMENT, DEPARTMENT OF:			
(a)	Environmental Management Program			43,029,034
	SOURCE OF FUNDS:			
(1)	State General Fund - Transfer	4,345,745		
(2)	State General Fund - Transfer to Water Pollu- tion Control Authority	2,700,000		
(3)	State General Fund - Transfer to Tire Recy- cling Center	25,000		

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
(4) Environmental Management Fees			2,128,350	
As provided in Section 22-22A-11, Code of Alabama 1975.				
(5) Federal, Local and Miscellaneous Funds			6,669,939	
(6) Federal Match - Water Pollution Control Authority			27,160,000	
Total Department of Environmental Management		7,070,745	35,958,289	43,029,034
39. ETHICS COMMISSION, ALABAMA:				
(a) Regulation of Public Officials and Employees Program				307,679
SOURCE OF FUNDS:				
(1) State General Fund		307,679		
Total Alabama Ethics Commission		307,679		307,679
40. FARMERS' MARKET AUTHORITY:				
(a) Agricultural Development Services Program				268,256
SOURCE OF FUNDS:				
(1) State General Fund - Transfer For Administration		94,374		
(2) Farmers' Market Authority Administration - Transfer from Capital Outlay Account			36,941	
(3) Farmers' Market Authority Fund - Revenue and Capital Outlay Account			136,941	
Total Farmers' Market Authority		94,374	173,882	268,256
41. FINANCE, DEPARTMENT OF:				
(a) Fiscal Management Program				3,465,671
(b) Administrative Support Services Program				4,052,907
(c) Capitol Police-Equipment				41,000

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
SOURCE OF FUNDS:				
	(1) State General Fund	7,509,578		
	(2) Miscellaneous Funds		50,000	
	Total Department of Finance	7,509,578	50,000	7,559,578
42.	FINANCE, DEPARTMENT OF- AIR TRANSPORTATION:			
	(a) Administrative Support Serv- ices Program			1,892,270
SOURCE OF FUNDS:				
	(1) State General Fund - Transfer	1,148,487		
	(2) Departmental Receipts		743,783	
	Total Department of Finance - Air Transportation	1,148,487	743,783	1,892,270
43.	FINANCE, DEPARTMENT OF - ALABAMA BUILDING AUTHORITY:			
	(a) Administrative Support Serv- ices Program			1,397,605
	(b) Asbestos Removal and Renovation			3,075,559
SOURCE OF FUNDS:				
	(1) Alabama Building Author- ity Operating Fund		4,473,164	
	Total Department of Finance - Alabama Building Authority ..		4,473,164	4,473,164
44.	FINANCE, DEPARTMENT OF - ALABAMA BUILDING FINANCE AUTHORITY:			
	(a) Administrative Support Serv- ices Program			1,047,021
SOURCE OF FUNDS:				
	(1) Alabama Building Finance Authority Operating Fund		1,047,021	
	Total Department of Finance - Alabama Building Finance Authority		1,047,021	1,047,021
45.	FINANCE, DEPARTMENT OF - CAPITOL COMPLEX MAINTENANCE AND REPAIR:			
	(a) Administrative Support Serv- ices Program			2,642,641

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
SOURCE OF FUNDS:				
	(1) Capitol Complex Revolving Fund		2,642,641	
	Total Department of Finance - Capitol Complex Maintenance and Repair		2,642,641	2,642,641
46.	FINANCE, DEPARTMENT OF - DATA CENTER OPERATING FUND:			
	(a) Administrative Support Services Program			14,697,200
SOURCE OF FUNDS:				
	(1) Data Center Operating Fund		14,697,200	
	Total Department of Finance - Data Center Operating Fund		14,697,200	14,697,200
47.	FINANCE, DEPARTMENT OF - STATE INSURANCE FUND:			
	(a) Administrative Support Services Program			749,696
SOURCE OF FUNDS:				
	(1) State Insurance Fund - Administrative		749,696	
	As provided in Section 41- 15-1 et seq., <u>Code of Alabama</u> 1975.			
	Total Department of Finance - State Insurance Fund		749,696	749,696
48.	FINANCE, DEPARTMENT OF - CENTRAL MAIL AND SUPPLY:			
	(a) Administrative Support Services Program			4,586,954
SOURCE OF FUNDS:				
	(1) Mail and Supply Revolving Fund		4,586,954	
	Total Department of Finance - Central Mail and Supply		4,586,954	4,586,954
49.	FINANCE, DEPARTMENT OF - MOTOR POOL:			
	(a) Administrative Support Services Program			1,794,828

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
SOURCE OF FUNDS:				
(1) Motor Pool Revolving Fund			1,794,828	
Total Department of Finance - Motor Pool			1,794,828	1,794,828
50. FINANCE, DEPARTMENT OF - PRINTING AND PUBLICATIONS:				
(a) Administrative Support Serv- ices Program				4,542,084
SOURCE OF FUNDS:				
(1) Printing and Publications Revolving Fund			4,542,084	
Total Department of Finance - Printing and Publications			4,542,084	4,542,084
51. FINANCE, DEPARTMENT OF - TELEPHONE REVOLVING FUND:				
(a) Administrative Support Serv- ices Program				9,455,305
SOURCE OF FUNDS:				
(1) State General Fund - Transfer		2,211,105		
(2) Telephone Revolving Fund			7,244,200	
Total Department of Finance - Telephone Revolving Fund		2,211,105	7,244,200	9,455,305
52. FINANCE, DEPARTMENT OF - DSMD SUPERCOMPUTER FUND:				
(a) Administrative Support Serv- ices Program				1,000,000
The above appropriation is for the maintenance and opera- tion of the Supercomputer.				
SOURCE OF FUNDS:				
(1) Collections from state agencies and other entities			1,000,000	
Total Department of Finance - DSMD Supercomputer Fund			1,000,000	1,000,000

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
53.	FOREIGN TRADE RELATIONS COMMISSION:			
(a)	Special Services Program			100,000
	SOURCE OF FUNDS:			
(1)	State General Fund	100,000		
	Total Foreign Trade Relations Commission	100,000		100,000
54.	FORENSIC SCIENCES, DEPARTMENT OF:			
(a)	Forensic Science Services Program			5,836,974
	Of the above appropriation, \$200,000 shall be used to pur- chase DNA testing equipment, supplies, personnel costs, and training for the use of such equipment.			
(b)	Capital Outlay			191,444
	For the completion of an au- topsy and morgue facility in Montgomery, Alabama.			
	SOURCE OF FUNDS:			
(1)	State General Fund	5,679,501		
(2)	Capital Outlay	191,444		
(3)	Federal, Local and Miscel- laneous Funds		157,473	
	Total Department of Forensic Sciences	5,870,945	157,473	6,028,418
55.	FORESTERS, ALABAMA STATE BOARD OF REGISTRATION FOR:			
(a)	Professional and Occupational Licensing and Regulation Program			24,500
	SOURCE OF FUNDS:			
(1)	Professional Foresters' Fund		24,500	
	As provided in Section 34- 12-36, <u>Code of Alabama</u> <u>1975.</u>			
	Total Alabama State Board of Registration for Foresters		24,500	24,500

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
56.	FORESTRY COMMISSION, ALABAMA:			
(a)	Forest Resources Protection and Development Program			22,082,939
	SOURCE OF FUNDS:			
	(1) State General Fund - Transfer	12,075,500		
	(2) Federal and Local Funds		2,801,625	
	(3) Forestry Commission Fund		7,205,814	
	Of the above appropria- tion, at least \$2,302,000 shall be used for rural and community fire protec- tion.			
	Total Alabama Forestry Commission	12,075,500	10,007,439	22,082,939

In addition to the above appropriation to the Alabama Forestry Commission, there is hereby conditionally appropriated for capital outlay from the Alabama Forestry Commission Fund the net proceeds from the sale of certain present property where the Birmingham District Headquarters is located in Jefferson County. The proceeds from said sale shall be covered into the Alabama Forestry Commission Fund. The above conditional appropriation shall be used to purchase land, building(s), and/or construction of building(s) in order to relocate the Birmingham District Headquarters. This conditional appropriation shall become absolute when said sale is concluded, recommended by the Finance Director and approved by the Governor.

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
57.	FUNERAL SERVICE, ALABAMA BOARD OF:			
	(a) Professional and Occupational Licensing and Regulation Program			128,000
	SOURCE OF FUNDS:			
	(1) Alabama Funeral Direc- tors and Embalmers Fund		128,000	
	As provided in Section 34- 13-23, <u>Code of Alabama</u> 1975.			
	Total Alabama Board of Fu- neral Service		128,000	128,000
58.	GEOLOGICAL SURVEY:			
	(a) Discovery and Development of Mineral, Energy and Water Resources, Geologic Research and Topographic Mapping Program			2,647,514
	SOURCE OF FUNDS:			
	(1) State General Fund	2,068,645		
	(2) Federal, Local and Miscel- laneous Funds		578,869	
	Total Geological Survey	2,068,645	578,869	2,647,514
59.	GORGAS MEMORIAL BOARD:			
	(a) Historical Resources Manage- ment Program			5,000
	SOURCE OF FUNDS:			
	(1) State General Fund	5,000		
	As provided in Section 41- 9-220, <u>Code of Alabama</u> 1975, and an additional amount.			
	Total Gorgas Memorial Board	5,000		5,000
60.	GOVERNOR'S MANSION ADVISORY BOARD:			
	(a) Historical Resources Manage- ment Program			9,073
	SOURCE OF FUNDS:			
	(1) State General Fund - Transfer	9,073		

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
	Total Governor's Mansion Ad- visory Board	9,073		9,073
61.	GOVERNOR'S MANSION AND COASTAL MANSION:			
	(a) Executive Direction Program			181,450
	SOURCE OF FUNDS:			
	(1) State General Fund - Transfer	181,450		
	Total Governor's Mansion and Coastal Mansion	181,450		181,450
62.	GOVERNOR'S OFFICE:			
	(a) Executive Direction Program			1,461,150
	SOURCE OF FUNDS:			
	(1) State General Fund	1,461,150		
	Total Governor's Office	1,461,150		1,461,150
63.	GOVERNOR'S OFFICE ON VOLUNTEERISM:			
	(a) Executive Direction Program			85,413
	SOURCE OF FUNDS:			
	(1) State General Fund	85,413		
	Total Governor's Office on Volunteerism	85,413		85,413
64.	HEALTH, DEPARTMENT OF PUBLIC:			
	(a) Personal Health Improvement Program			64,630,465
	(b) Health Support Services Program			43,004,001
	Of the amount appropriated to support local health depart- ment services, \$4,020,000 shall be used to provide a minimum staff in each of the 67 counties, and the remaining shall be al- located to the counties on the basis of need and a match for- mula to be determined by the Department.			
	(c) Administrative Services Program			7,882,513
	(d) Industrial Health Services Program			254,000

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
(e)	Perinatal and Related SOBRA Services Program			10,400,000
	SOURCE OF FUNDS:			
	(1) State General Fund	26,051,363		
	(2) Cigarette Tax-\$0.01 and \$0.02		4,000,000	
	As provided in Section 40-25-2 and Section 40- 25-23, <u>Code of Alabama</u> 1975.			
	(3) Vital Statistics Fund		1,381,254	
	(4) Hospital Licensing Fund		235,000	
	(5) Emergency Medical Services Fund		50,000	
	As provided in Section 22-18-4, <u>Code of Ala-</u> <u>bama</u> 1975.			
	(6) Local Health Departments		20,880,748	
	(7) Nuclear Monitoring Fund		139,000	
	(8) Radiation Safety Fund ...		100,000	
	(9) Miscellaneous Funds		9,845,514	
	(10) Federal Funds		57,088,100	
	(11) Transfer from ABC Board		4,000,000	
	(12) Miscellaneous Funds - SOBRA Program		2,400,000	
	Total Department of Public Health	26,051,363	100,119,616	126,170,979
65.	HEALTH PLANNING AGENCY, STATE:			
(a)	Health Planning Development and Regulation Program			654,797
	SOURCE OF FUNDS:			
	(1) State General Fund - Transfer	304,797		
	(2) Certificate of Need Fees ...		300,000	
	(3) Federal, Local and Miscel- laneous Funds		50,000	
	Total State Health Planning Agency	304,797	350,000	654,797

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
66.	HEARING AID DEALERS, ALABAMA BOARD OF:			
	(a) Professional and Occupational Licensing and Regulation Program			40,000
	SOURCE OF FUNDS:			
	(1) State Board of Health - Hearing Aid Fund		40,000	
	As provided in Section 34- 14-33, <u>Code of Alabama</u> <u>1975.</u>			
	Total Alabama Board of Hear- ing Aid Dealers		40,000	40,000
67.	HEATING AND AIR CONDITIONING CONTRACTORS, BOARD OF:			
	(a) Professional and Occupational Licensing and Regulation Program			133,301
	SOURCE OF FUNDS:			
	(1) Heating and Air Condi- tioning Contractors Fund		133,301	
	Total Board of Heating and Air Conditioning Contractors		133,301	133,301
68.	HERITAGE TRUST FUND, ALABAMA:			
	(a) Fiscal Management Program			20,000
	SOURCE OF FUNDS:			
	(1) Heritage Trust Income		20,000	
	Total Alabama Heritage Trust Fund		20,000	20,000
69.	HIGHWAY DEPARTMENT:			
	(a) Central Administration Program			10,706,273
	(b) Division and District Supervi- sion Program			19,224,843
	(c) Operations and Support Serv- ices Program			7,972,800
	(d) Maintenance Program			131,438,043

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
(e)	Non-Programmatic Programs			108,842,333
	Proposed Spending Plan for the above (e) includes the following:			
	Debt Service	107,285,685		
	Equipment-Other than Automotive	1,556,648		
(f)	Construction-Federal Aid Program			335,308,070
	Proposed Spending Plan for the above (f) includes the following:			
	Federal Aid Matching	47,729,452		
	Non-Participating Work on Federal Projects	1,000,000		
	Federal Aid	286,578,618		
(g)	Construction-State Program ..			20,000,000
(h)	Operations-Land and Buildings			1,408,000
SOURCE OF FUNDS:				
(1)	State General Fund - Transfer	71,500		
(2)	Public Road and Bridge Fund		348,250,244	
(3)	Federal Aid		286,578,618	
	There is hereby appropriated, for payment of the principal of and the interest on all bonds theretofore or hereafter issued for public highways and bridge purposes, or either, by the State of Alabama, Alabama Highway Authority, Alabama Federal Aid Highway Finance Authority, or Alabama Industrial Access Road and Bridge Corporation, a total of \$107,285,685 or so much as may be necessary for payment of said principal and interest at their respective maturities, of the			

Fund Sources Included
In Appropriation Total

General Fund	Trust Fund	Appropriation <u>Total</u>
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revenues pledged for such payment. The Highway Director with the consent of the Governor and the Finance Director shall have the authority to transfer any appropriation or any portion thereof between and among Subsections (a), (b), (c), (d), (e), (f), (g), (h), of this Section whenever such transfer shall be necessary to assure maximum utilization of Federal Matching Funds which shall become available. In the event that there shall not be sufficient funds available for payment of all appropriations hereinabove made, the following provisions shall be applicable. In the event of such insufficiency in respect of the said revenues accruing to the State Highway Department:

(1) the appropriations made for Debt Service in Subsection (e) hereof shall be paid in full, (2) the appropriations from the revenues accruing to the State Highway Department that are herein made for the purposes referred to in Subsections (a), (b), (c), (d), (e), (f), (g), (h) except for Debt Service, hereof shall be allocated among the purposes referred to in said Subsections in such order and with such priorities as the State Highway Director shall from time to time direct. The funds appropriated in Subsection (f) hereof, for the matching Federal Funds, shall not revert at the end of the fiscal year for which such appropriations are made, but shall remain available for the purpose for which such appropriation was made.

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Fund Sources Included
In Appropriation Total

General Fund	Trust Fund	Appropriation <u>Total</u>
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In addition to all appropriations hereinabove made there is hereby appropriated to the State Highway Department all Federal Funds accruing thereto to be expended only for the purpose for which such funds are made available.

Total Highway Department ...	71,500	634,828,862	634,900,362
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In addition to the above appropriation to the Highway Department, there is hereby appropriated the sum of \$350,000 from any sources available to the Highway Department as the state match for additional federal mass transit funds, to purchase capital equipment (rolling stock) for the state mass transportation program, and for an insurance and/or self-insurance program.

Of the above appropriation to the Highway Department an amount up to \$140,000 is to be used to solve any state right-of-way problem involving fraternal organizations.

70. HISTORIC BLAKELEY
AUTHORITY:

(a) Tourism and Travel Promotion Program	190,150
(b) Capital Outlay	100,000

SOURCE OF FUNDS:

(1) State General Fund	290,150	
Total Historic Blakeley Authority		
	290,150	290,150

71. HISTORIC CHATTAHOOCHEE
COMMISSION:

(a) Historical Resources Management Program	98,200
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SOURCE OF FUNDS:

(1) State General Fund	98,200	

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
Total Historic Chattahoochee Commission		98,200		98,200
<hr/>				
72. HISTORICAL COMMISSION, ALABAMA:				
(a)	Historical Resources Manage- ment Program			2,309,566
(b)	Historical Resources Manage- ment Program-Capital Outlay			80,841
(c)	Historical Preservation Projects			952,540
The above appropriation for Historical Preservation Proj- ects shall include \$50,000 for a museum that traces the history of coal mining.				
SOURCE OF FUNDS:				
(1)	State General Fund - Transfer	1,483,914		
The State General Fund appropriation shall in- clude the following:				
Historical Commission, Alabama246,840				
Historical Commission, Alabama - John T. Mor- gan House, Selma ..11,460				
Historical Commission, Alabama - Cahaba150,000				
Historical Commission, La Grange7,774				
(2)	State General Fund - Transfer-Capital Outlay ..	80,841		
(3)	State General Fund - Transfer - Historical Pres- ervation Projects	952,540		
(4)	Federal, Local and Miscel- laneous Funds		825,652	
<hr/>				
Total Alabama Historical Commission		2,517,295	825,652	3,342,947

As provided in Act No. 87-749,
in addition to the amounts ap-
propriated hereinabove to the

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Fund Sources Included In Appropriation Total		
General Fund	Trust Fund	Appropriation Total

Alabama Historical Commission, there is hereby appropriated the proceeds from the sale of 1945 legislative desks and chairs for the cost of reproduction furniture to be used in the restoration of the Alabama State Capitol.

73. HUMAN RESOURCES,
DEPARTMENT OF:

(a) Human Services Program 281,722,049

It is the intent of the Legislature that allotments be made to the County Departments of Human Resources in the amount of \$165,500 to fund, upon approval of the county department director, supplemental client services not otherwise provided for through existing programs of the Department of Human Resources. Allotments to the county departments based on the counties' populations according to the 1980 census are as follows: county populations greater than 50,000, \$3,500; county populations less than 50,000, \$2,000.

SOURCE OF FUNDS:

(1) State General Fund - Transfer	13,688,441
(2) State General Fund - Transfer-Additional Day Care Slots	1,500,000
(3) State General Fund - Transfer-Group Homes	1,000,000
(4) Federal, Local and Mis- cellaneous Funds	185,874,156
(5) ABC Profits	1,070,000
(6) Whiskey Tax	21,100,000
(7) Beer Tax	8,100,000
(8) Pension Residue	14,000,000
(9) Sales Tax	1,322,000
(10) Franchise Tax	13,600,000

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	Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
	General Fund	Trust Fund	
(11) Child Support Collections		3,127,097	
(12) Sales Tax for Food Stamps		11,090,355	
(13) Cigarette Tax		4,375,000	
(14) Contractor's Gross Re- ceipts Tax		1,875,000	
Total Department of Human Resources	16,188,441	265,533,608	281,722,049

It is the intent of the Legisla-
ture that two-thirds of the
state's present and future client
slots for the program known as
the "Medicaid Waiver Services
Program-Home and Commu-
nity-Based Waiver for the El-
derly and Disabled" be served
by the Department of Human
Resources. The Department of
Human Resources may con-
tract with other agencies, spe-
cifically including the State
Department of Public Health,
to provide the services under
the Medicaid Waiver Services
Program.

**74. INDIAN AFFAIRS
COMMISSION, ALABAMA:**

(a) Social Services Program 152,560

The above appropriation is to
be expended in accordance with
Sections 41-9-708 et seq., Code
of Alabama 1975.

SOURCE OF FUNDS:

(1) State General Fund 152,560

**Total Alabama Indian Affairs
Commission** 152,560 152,560

**75. INDUSTRIAL
DEVELOPMENT
AUTHORITY, STATE:**

(a) Industrial Development
Program 76,100

SOURCE OF FUNDS:

(1) SIDA Application Fees
Fund 76,100

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
Total State Industrial Development Authority			76,100	76,100
76. INDUSTRIAL RELATIONS, DEPARTMENT OF:				
(a) Unemployment Compensation Program				16,788,976
(b) Skills Enhancement and Employment Opportunities Program				19,219,009
(c) Industrial Safety and Accident Prevention Program				4,648,746
(d) Administrative Services Program				8,451,718
(e) Workmen's Compensation Program				573,764
The above appropriation of \$573,764 must be used in the Workmen's Compensation Program and may not be transferred to any other program or expended for any other function.				
SOURCE OF FUNDS:				
(1) State General Fund	1,159,337			
(2) Federal, Local and Miscellaneous Funds		48,522,876		
Total Department of Industrial Relations	1,159,337	48,522,876		49,682,213
77. INSURANCE, DEPARTMENT OF:				
(a) Regulatory Services Program				2,365,123
SOURCE OF FUNDS:				
(1) State General Fund	1,254,670			
(2) Fire Marshal's Fund		136,844		
As provided in Section 24-5-10, Code of Alabama 1975. Any balance in excess of \$50,000 at the end of the fiscal year shall be transferred to the State General Fund.				
(3) Examination Revolving Fund		973,609		

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
Total Department of Insurance		1,254,670	1,110,453	2,365,123
Of the above appropriation to the Department of Insurance, \$50,000 is hereby appropriated for advance newspaper publication of rate filings prior to any hearing or other determination by the Commissioner.				
78. INSURANCE BOARD, STATE EMPLOYEES':				
(a) Administrative Support Services Program				350,000
SOURCE OF FUNDS:				
(1) State Employees' Insurance Board Expense Fund			350,000	
Total State Employees' Insurance Board			350,000	350,000
79. INTERIOR DESIGNERS, ALABAMA STATE BOARD OF REGISTRATION FOR:				
(a) Professional and Occupational Licensing and Regulation Program				5,700
SOURCE OF FUNDS:				
(1) Interior Designers Fund ...			5,700	
As provided in Section 34-15A-7, <u>Code of Alabama 1975.</u>				
Total Alabama State Board of Registration for Interior Designers			5,700	5,700
80. LABOR, DEPARTMENT OF:				
(a) Regulatory Services Program				354,802
SOURCE OF FUNDS:				
(1) State General Fund		304,802		
(2) Federal, Local and Miscellaneous Funds			50,000	
Total Department of Labor		304,802	50,000	354,802

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
81.	LANDSCAPE ARCHITECTS, BOARD OF EXAMINERS FOR:			
	(a) Professional and Occupational Licensing and Regulation Program			18,525
	SOURCE OF FUNDS:			
	(1) Landscape Architect's Fund		18,525	
	As provided in Section 34- 17-6, <u>Code of Alabama</u> 1975.			
	Total Board of Examiners of Landscape Architects		18,525	18,525
82.	LIEUTENANT GOVERNOR, OFFICE OF THE:			
	(a) Legislative Operations and Support Program			440,156
	SOURCE OF FUNDS:			
	(1) State General Fund	440,156		
	Total Office of the Lieutenant Governor	440,156		440,156
83.	LIQUEFIED PETROLEUM GAS BOARD:			
	(a) Regulatory Services Program			342,000
	SOURCE OF FUNDS:			
	(1) Liquefied Petroleum Gas Board Fund		342,000	
	Total Liquefied Petroleum Gas Board		342,000	342,000
84.	MANUFACTURED HOUSING COMMISSION, ALABAMA:			
	(a) Regulatory Services Program			494,921
	SOURCE OF FUNDS:			
	(1) Alabama Manufactured Housing Commission Fund		494,921	
	As provided in Section 24- 6-4, <u>Code of Alabama</u> 1975.			
	Total Alabama Manufactured Housing Commission		494,921	494,921

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Fund Sources Included In Appropriation Total		
General Fund	Trust Fund	Appropriation <u>Total</u>

85. MEDICAID AGENCY,
ALABAMA:

- | | |
|--|-------------|
| (a) Medical Assistance Through
Medicaid Program | 536,786,519 |
|--|-------------|

It is the intent of the Legislature that of the above appropriation, which includes \$22,489,144 for SOBRA, Medicaid eligibility shall be extended to include, to the fullest extent possible, pregnant women and children up to 1 year of age who have incomes at or below 100% of the federal poverty level. It is the further intent of the Legislature that the provisions of the state's SOBRA program will include raising to a minimum of 80% of the physician's reimbursement level the reimbursement for certified midwives for deliveries under Medicaid. Also, it is the intent of the Legislature that the state's SOBRA program provide for physician reimbursement for deliveries at minimum per patient which is above the national Medicaid average adjusted annually for global delivery fee and that such fee be reviewed periodically by the Alabama Medicaid Agency to insure the rate structure provides access for prenatal care. In addition, the Legislature intends that SOBRA provisions include reimbursement to pediatricians who attend a high-risk Medicaid covered delivery. The Legislature intends that SOBRA provisions in the State allow pregnant women, who are determined to be eligible for Medicaid through SOBRA, remain eligible throughout their pregnancy, that an assets test shall not be required in making a determination of eligibility for such program, and that all providers

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
designated under Public Law 99-509 (SOBRA) may be certifiers of presumptive eligibility for Medicaid which will insure that the eligible State population have access for said services.				
SOURCE OF FUNDS:				
(1) State General Fund - Transfer	108,176,779			
(2) State General Fund - Transfer - SOBRA	6,049,572			
(3) Transfer from Department of Human Resources			3,824,175	
(4) Transfer from Mental Health			19,050,250	
(5) Transfer from Commission on Aging			1,770,580	
(6) Federal, Local and Miscellaneous Funds			397,915,163	
Total Alabama Medicaid Agency	114,226,351	422,560,168	536,786,519	
86. MEN'S HALL OF FAME, ALABAMA:				
(a) Historical Resources Management Program				5,000
SOURCE OF FUNDS:				
(1) State General Fund	5,000			
Total Alabama Men's Hall of Fame	5,000			5,000
87. MENTAL HEALTH AND MENTAL RETARDATION, DEPARTMENT OF:				
(a) Institutional Treatment and Care-Mental Illness Program			84,864,025	
(b) Institutional Treatment and Care-Mental Retardation Program			65,593,752	
(c) Institutional Treatment and Care-Criminally Insane Program			5,384,765	
(d) Administrative Services Program			5,308,394	

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
(e)	Community Services Program			58,342,197
	Of the above appropriation, \$1,000,000 shall be expended for new and expanded residen- tial drug treatment services. It is further provided, however, that no reduction in funding for existing community serv- ices shall be made to provide for said drug treatment serv- ices.			
(f)	Community Work Centers			1,000,000
(g)	Agency Administration Program			696,899

SOURCE OF FUNDS:

(1)	State General Fund - Transfer	59,224,627		
(2)	Special Mental Health Trust Fund		85,844,000	
	For operations and main- tenance of the State Men- tal Health and Mental Retardation Department and the Mental Health and Mental Retardation Com- munity Programs, includ- ing the purchase of drugs for medically indigent mental patients not hos- pitalized at time of receiv- ing drugs at the Alabama state hospitals.			
(3)	Transfer from ABC Profits		1,000,000	
(4)	Cigarette Tax		6,800,000	
(5)	Federal, Local and Miscel- laneous Funds		68,321,405	
	Total Department of Mental Health and Mental Retardation	59,224,627	161,965,405	221,190,032

88. MILITARY DEPARTMENT:

(a)	Military Operations Program	5,432,307
(b)	Capital Outlay	250,000

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
SOURCE OF FUNDS:				
(1)	State General Fund - Operations	1,682,657		
(2)	State General Fund - Quarterly Allowances Headquarters	1,363,800		
	Regular Allowance Units to be used solely for oper- ating expenses; provided, that no more than \$4,500 shall be allotted in any fis- cal year for the Alabama National Guard Head- quarters.			
(3)	State General Fund - Transfer-Capital Outlay for Architect and Engi- neering Services, specifi- cations repair and construction of facilities ..	250,000		
	The above appropriation shall include funding for asbestos removal at the Fort Whiting Armory.			
(4)	State General Fund - Ac- tive Military Service	75,000		
(5)	State General Fund - Transfer to Armory Commission	2,300,000		
(6)	State General Fund - Dropping Allowance	4,500		
(7)	State General Fund - State Defense Force	6,350		
Total Military Department		5,682,307		5,682,307
89. MILITARY DEPARTMENT- ARMORY COMMISSION OF ALABAMA:				
(a)	Military Operations Program			4,399,765
SOURCE OF FUNDS:				
(1)	Transfer from Military Department		2,300,000	
(2)	Federal, Local and Miscel- laneous Funds		2,099,765	
	The funds hereinabove appropriated to the Ar- mory Commission shall be			

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
payable from the funds in the State Treasury to the credit of the Armory Commission and the appropriation hereinabove made includes the appropriation made for the care, maintenance, and construction of facilities; provided, however, that the last federal government service contract reimbursement shall not revert to the State General Fund, and any unobligated balance remaining thereof in the Armory Commission Fund at the end of the fiscal year in excess of \$50,000 shall be transferred to the State General Fund.				
Total Armory Commission of Alabama			4,399,765	4,399,765
90. MOTOR SPORTS HALL OF FAME:				
(a) Tourism and Travel Promotion Program				50,000
SOURCE OF FUNDS:				
(1) State General Fund		50,000		
Total Motor Sports Hall of Fame		50,000		50,000
91. MUSIC HALL OF FAME, ALABAMA:				
(a) Fine Arts Program				120,354
SOURCE OF FUNDS:				
(1) State General Fund		120,354		
Total Alabama Music Hall of Fame		120,354		120,354
92. NURSING, ALABAMA BOARD OF:				
(a) Professional and Occupational Licensing and Regulation Program				1,052,160

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
SOURCE OF FUNDS:				
(1) Alabama Board of Nursing Trust Fund - as provided in <u>Code of Alabama 1975</u> , as amended, Sections 34-21-1 through 34-21-43			1,052,160	
Total Alabama Board of Nursing			1,052,160	1,052,160
93. NURSING HOME ADMINISTRATORS, BOARD OF EXAMINERS OF:				
(a) Professional and Occupational Licensing and Regulation Program				48,000
SOURCE OF FUNDS:				
(1) Board of Examiners of Nursing Home Adminis- trators Fund			48,000	
As provided in Section 34- 20-7, <u>Code of Alabama</u> <u>1975</u> .				
Total Board of Examiners of Nursing Home Administrators			48,000	48,000
94. OIL AND GAS BOARD:				
(a) Management and Regulation of Oil and Gas Exploration and Development Program				2,305,833
SOURCE OF FUNDS:				
(1) State General Fund		2,195,833		
(2) Oil and Gas Board Special Fund			100,000	
(3) Federal, Local and Miscel- laneous Funds			10,000	
Total Oil and Gas Board		2,195,833	110,000	2,305,833
95. PARDONS AND PAROLES, BOARD OF:				
(a) Administration of Pardons and Paroles Program				11,812,792
SOURCE OF FUNDS:				
(1) State General Fund		8,797,072		

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
(2)	Probationers Upkeep			
	Fund		2,878,050	
	In accordance with Sec- tion 15-22-2, <u>Code of Ala- bama 1975.</u>			
(3)	Miscellaneous Funds		137,670	
	Total Board of Pardons and Paroles	8,797,072	3,015,720	11,812,792
96.	PEACE OFFICERS' ANNUITY AND BENEFIT FUND, ALABAMA:			
(a)	Retirement Systems Program			266,990
	SOURCE OF FUNDS:			
(1)	Peace Officers' Annuity and Benefit Fund		266,990	
	As provided in Section 36- 21-66, <u>Code of Alabama 1975.</u>			
	Total Alabama Peace Officers' Annuity and Benefit Fund		266,990	266,990
97.	PERSONNEL DEPARTMENT, STATE:			
(a)	Administrative Support Serv- ices Program			2,893,827
	SOURCE OF FUNDS:			
	Transfers to the State Person- nel Department shall be as fol- lows:			
(1)	Board of Public Accountancy		287	
(2)	Department of Aeronautics		479	
(3)	Commission on Aging		1,915	
(4)	Department of Agricul- ture and Industries		44,290	
(5)	Agricultural Center Board		1,819	
(6)	Alcoholic Beverage Con- trol Board		88,054	
(7)	Board of Registration for Architects		144	
(8)	Archives and History		4,644	

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	Fund Sources Included In Appropriation Total		Appropriation Total
	General Fund	Trust Fund	
(9) State Council on the Arts		1,006	
(10) Attorney General's Office		13,646	
(11) State Auditor		2,059	
(12) State Banking Department		4,980	
(13) Building Commission		2,155	
(14) Child Abuse and Neglect Prevention Board		192	
(15) Chiropractic Examiners		96	
(16) Department of Conser- vation and Natural Resources		100,934	
(17) State Licensing Board for General Contractors		527	
(18) Department of Corrections		264,688	
(19) Board of Cosmetology		862	
(20) Credit Union Administration		527	
(21) Alabama Crime Victims Compensation Commission		622	
(22) Criminal Justice Infor- mation Center		6,033	
(23) Alabama Development Office		3,208	
(24) State Docks		46,541	
(25) Department of Economic and Community Affairs		29,878	
(26) Department of Education		128,322	
(27) Electrical Contractors Board		48	
(28) Emergency Management Agency		3,687	
(29) Local Emergency Management		5,000	
(30) Board of Registration for Professional Engineers and Land Surveyors		431	
(31) Department of Environ- mental Management		22,265	

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Fund Sources Included In Appropriation Total			
	General Fund	Trust Fund	Appropriation <u>Total</u>
(32) Ethics Commission		575	
(33) Examiners of Public Accounts		20,110	
(34) Farmers' Market Authority		239	
(35) Finance Department		45,679	
(36) Finance-Alabama Build- ing Authority		2,681	
(37) Finance-Alabama Build- ing Finance Authority		1,819	
(38) Firefighters' Personnel Standards and Educa- tion Commission		383	
(39) Foreign Trade Relations Commission		144	
(40) Department of Forensic Sciences		10,869	
(41) Forestry Commission		39,742	
(42) Funeral Services		144	
(43) Governor's Office		3,112	
(44) Department of Public Health		209,960	
(45) Board of Heating and Air Conditioning Contractors		192	
(46) Highway Department		359,972	
(47) Alabama Historical Commission		5,794	
(48) Housing Finance Authority		239	
(49) Department of Human Resources		373,953	
(50) Alabama Indian Affairs Commission		144	
(51) Department of Industrial Relations		162,318	
(52) Insurance Department ...		5,315	
(53) Judicial Inquiry Commission		48	
(54) Department of Labor		766	
(55) Legislative Reference Service		575	
(56) Liquefied Petroleum Gas Board		622	

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	Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
	General Fund	Trust Fund	
(57) Manufactured Housing Commission		383	
(58) Alabama Medicaid Agency		26,861	
(59) Department of Mental Health and Mental Retardation		448,936	
(60) Military Department		17,285	
(61) Board of Nursing		1,580	
(62) Board of Examiners of Nursing Home Administrators		48	
(63) Oil and Gas Board		10,294	
(64) Pardons and Paroles		26,718	
(65) Peace Officers' Annuity and Benefit Fund		239	
(66) Peace Officers' Standards and Training Commission		335	
(67) Physical Fitness Commission		575	
(68) Board of Physical Therapy		48	
(69) Board of Polygraph Examiners		96	
(70) Public Library Service ...		5,698	
(71) Department of Public Safety		118,458	
(72) Public Service Commission		13,119	
(73) Alabama Educational Television Commission		7,757	
(74) Real Estate Commission		1,484	
(75) Retirement Systems		11,396	
(76) Department of Revenue		113,000	
(77) Secretary of State		2,442	
(78) Securities Commission ...		2,011	
(79) Board of Social Work Examiners		96	
(80) Soil and Water Conservation		335	
(81) Surface Mining Commission		4,788	

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
(82)	Bureau of Tourism and Travel		6,799	
(83)	State Treasurer		4,070	
(84)	Department of Veterans' Affairs		5,937	
(85)	Board of Veterinary Medical Examiners		96	
(86)	Department of Youth Services		36,725	
(87)	State Health Planning Agency		1,484	
Total State Personnel Department			2,893,827	2,893,827
99.	PHYSICAL THERAPY, BOARD OF:			
(a)	Professional and Occupational Licensing and Regulation Program			72,435
SOURCE OF FUNDS:				
(1)	Physical Therapist Fund As provided in Section 34- 24-195, Code of Alabama 1975.		72,435	
Total Board of Physical Therapy			72,435	72,435
100.	PLUMBERS AND GAS FITTERS EXAMINING BOARD, ALABAMA:			
(a)	Professional and Occupational Licensing and Regulation Program			249,480
SOURCE OF FUNDS:				
(1)	Board of Plumbers and Gas Fitters Examiners Fund ...		249,480	
Total Alabama Plumbers and Gas Fitters Examining Board			249,480	249,480
101.	POLYGRAPH EXAMINERS, BOARD OF:			
(a)	Professional and Occupational Licensing and Regulation Program			30,000
SOURCE OF FUNDS:				
(1)	Board of Polygraph Ex- aminers Fund		30,000	

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
As provided in Section 34- 25-5, <u>Code of Alabama</u> 1975.				
Total Board of Polygraph Examiners			30,000	30,000
102. PROSECUTION SERVICES, OFFICE OF:				
(a) Prosecution, Training, Educa- tion and Management Program				1,287,427
SOURCE OF FUNDS:				
(1) State General Fund - Transfer		360,589		
(2) Office of Prosecution Serv- ices Fund			926,838	
Total Office of Prosecution Services		360,589	926,838	1,287,427
103. PSYCHOLOGY, ALABAMA BOARD OF EXAMINERS IN:				
(a) Professional and Occupational Licensing and Regulation Program				45,430
SOURCE OF FUNDS:				
(1) Board of Examiners in Psychology Fund			45,430	
As provided in Section 34- 26-43, <u>Code of Alabama</u> 1975.				
Total Alabama Board of Ex- aminers in Psychology			45,430	45,430
104. PUBLIC SAFETY, DEPARTMENT OF:				
(a) Traffic Control and Accident Prevention Program				17,109,831
(b) Criminal Investigation Program				4,685,923
(c) Driver's Licensing and Im- provement Program				10,273,240
(d) Public Safety Support Services Program				7,592,294
(e) Administrative Services Program				4,899,971

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
(f)	Alabama Criminal Justice Training Center Program			1,924,821
SOURCE OF FUNDS:				
(1)	State General Fund	46,486,080		
<hr/>				
	Total Department of Public Safety	46,486,080		46,486,080

**105. PUBLIC SERVICE
COMMISSION:**

(a)	Regulatory Services Program	5,649,101
(b)	Administrative Services Program	1,842,134
(c)	Transfer to Legislature	100,000

SOURCE OF FUNDS:

(1)	Public Service Commis- sion Fund	6,973,235
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The above amount shall include \$100,000 to be transferred from the Public Service Commission Fund to the Legislature, authorized pursuant to the provisions of Section 29-1-22, Code of Alabama 1975.

The above appropriation to the Alabama Public Service Commission shall be payable only from inspection and supervision fees paid by utilities and transportation companies and such parts or percentages of fees and taxes paid by motor carrier or motor transportation companies as are now or may be set aside by law to be used by the Commission. Any surplus remaining in the Alabama Public Service Commission Fund at the end of the fiscal year in excess of \$600,000 shall be transferred to the State General Fund.

(2)	Gas Pipeline Safety Fund	386,000
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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
(3) Federal and Miscellaneous Funds			232,000	
Total Public Service Commission			7,591,235	7,591,235
106. REAL ESTATE COMMISSION, ALABAMA:				
(a) Professional and Occupational Licensing and Regulation Program				1,029,034
(b) Capital Outlay				400,000
SOURCE OF FUNDS:				
(1) Alabama Real Estate Commission Fund			1,429,034	
As provided in Section 34- 27-4, <u>Code of Alabama</u> 1975 and the total expend- itures shall in no manner exceed the amounts here- by appropriated.				
Total Alabama Real Estate Commission			1,429,034	1,429,034
107. REVENUE, DEPARTMENT OF:				
(a) State Revenue Administration Program				49,671,690
SOURCE OF FUNDS:				
(1) State General Fund - Transfer		250,000		
As provided in Section 40- 7-70, <u>Code of Alabama</u> 1975, to maintain a pro- gram for the equalization of ad valorem tax assess- ments.				
(2) State General Fund - Board of Equalization		124,985		
(3) Ad Valorem Equalization Fund			220,115	
(4) Transfers from the pro- ceeds of the following:				
(a) Cigarette Tax Collections			888,224	
As provided in Section 40- 25-27, <u>Code of Alabama</u> 1975.				

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	Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
	General Fund	Trust Fund	
(b) Financial Institution Ex- cise Tax Collections		230,198	
(c) Forest Severance Tax Collections		84,784	
(d) Gasoline Tax Collections		4,030,552	
(e) Income Tax Collections ...		13,678,883	
(f) Motor Fuel Tax Collections		840,032	
(g) Motor Vehicle License Collections		1,821,412	
(h) Pension Fund as part of the cost of collections of the 1-Mill Ad Valorem Tax		557,337	
(i) Public School Fund as part of the cost of collections of the 3-Mill Ad Valorem Tax		1,373,134	
(j) Sales Tax Collections		12,067,459	
(k) Tobacco Tax Collections		36,353	
(l) Use Tax Collections		1,320,637	
(m) Utility Tax Collections ...		2,932,060	
(5) Local Funds		6,000,442	
(6) Transfer from the gross proceeds of Motor Vehicle License Collections for the purchase only of Motor Vehicle License Tags		2,365,083	
(7) Inspection fees for re- stored vehicles		750,000	
As provided in Section 32- 8-87 <u>Code of Alabama</u> 1975.			
(8) Revenue Administration Fund-Transfer from Abandoned Property Trust Fund as provided in Sec- tion 35-12-39, <u>Code of</u> <u>Alabama 1975</u>		100,000	

The amounts hereinabove
appropriated for the cost
of maintenance and oper-
ations of the Department
of Revenue are in lieu of
any other statutory provi-
sions for the payment of

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
the cost of operating said Department or collections of the taxes as authorized by law. Provided, however, in addition to the amount hereinabove appropriated, there is hereby appropriated to the Department of Revenue all sums allowed the Department of Revenue by local Acts of the Legislature as a charge for the collection of taxes or licenses.				
Total Department of Revenue		374,985	49,296,705	49,671,690
108. SECRETARY OF STATE:				
(a) Administrative Support Services Program				1,157,627
SOURCE OF FUNDS:				
(1) State General Fund		778,627		
(2) UCC and Farm Indexing Fund			379,000	
Total Secretary of State		778,627	379,000	1,157,627
109. SECURITIES COMMISSION:				
(a) Regulatory Services Program				817,228
SOURCE OF FUNDS:				
(1) State General Fund		469,489		
(2) Industrial Revenue Bond Notification Fund			220,190	
(3) Sale of Checks License Fund			7,781	
(4) Exemption Fund			119,768	
Total Securities Commission		469,489	347,739	817,228
110. SENIOR CITIZENS HALL OF FAME, ALABAMA:				
(a) Historical Resources Management Program				22,681
SOURCE OF FUNDS:				
(1) State General Fund		22,681		
Total Alabama Senior Citizens Hall of Fame		22,681		22,681

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
111. SOCIAL WORK EXAMINERS, ALABAMA STATE BOARD OF:				
(a)	Professional and Occupational Licensing and Regulation Program			61,888
SOURCE OF FUNDS:				
(1)	Alabama State Board of Social Work Examiners Fund		61,888	
As provided in Section 34- 30-6, <u>Code of Alabama</u> 1975.				
Total Alabama State Board of Social Work Examiners			61,888	61,888
112. SOIL AND WATER CONSERVATION COMMITTEE, STATE:				
(a)	Water Resource Development Program			1,208,381
(b)	Professional and Occupational Licensing and Regulation Program			4,000
SOURCE OF FUNDS:				
(1)	State General Fund	1,178,381		
(2)	Soil Classifiers Fund		4,000	
As provided in Section 34- 32-19, <u>Code of Alabama</u> 1975.				
(3)	Transfer from Agricultural and Conservation Devel- opment Commission		30,000	
Total State Soil and Water Conservation Committee		1,178,381	34,000	1,212,381
113. SOUTHERN GROWTH POLICIES BOARD:				
(a)	Special Services Program			27,830
SOURCE OF FUNDS:				
(1)	State General Fund	27,830		
Total Southern Growth Poli- cies Board		27,830		27,830

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
114. SPORTS HALL OF FAME, ALABAMA:				
(a)	Historical Resources Manage- ment Program			140,000
(b)	Capital Outlay			350,000
SOURCE OF FUNDS:				
(1)	State General Fund	490,000		
Total Alabama Sports Hall of Fame		490,000		490,000
115. SPEECH PATHOLOGY AND AUDIOLOGY, ALABAMA BOARD OF EXAMINERS FOR:				
(a)	Professional and Occupational Licensing and Regulation Program			28,270
SOURCE OF FUNDS:				
(1)	Alabama Board of Exam- iners for Speech Pathology and Audiology Fund		28,270	
As provided in Section 34- 28A-44, <u>Code of Alabama</u> 1975.				
Total Alabama Board of Ex- aminers for Speech Pathology and Audiology			28,270	28,270
116. SURFACE MINING COMMISSION, ALABAMA:				
(a)	Industrial Safety and Accident Prevention Program			5,239,079
SOURCE OF FUNDS:				
(1)	State General Fund - Transfer	450,000		
(2)	Surface Mining Commis- sion Fund		4,789,079	
As provided by Section 9- 16-103, <u>Code of Alabama</u> 1975. All fees and charges, grants, gifts, fines, bond forfeitures or other monies received under the above act, in addition to the ap- propriation herein made, are appropriated to the				

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
Surface Mining Commis- sion.				
Total Alabama Surface Min- ing Commission		450,000	4,789,079	5,239,079
117. TANNEHILL FURNACE AND FOUNDRY COMMISSION:				
(a) Historical Resources Manage- ment Program				296,392
SOURCE OF FUNDS:				
(1) State General Fund		296,392		
Total Tannehill Furnace and Foundry Commission		296,392		296,392
118. TENNESSEE-TOMBIGBEE WATERWAY DEVELOPMENT AUTHORITY:				
(a) Water Resource Development Program				101,000
SOURCE OF FUNDS:				
(1) State General Fund		101,000		
Total Tennessee-Tombigbee Waterway Development Authority		101,000		101,000
119. TENNESSEE VALLEY EXHIBIT COMMISSION OF ALABAMA:				
(a) Promotional Development Program				572,241
To be expended in accordance with Sections 41-9-780 et seq., <u>Code of Alabama 1975.</u>				
SOURCE OF FUNDS:				
(1) State General Fund - Transfer		70,766		
(2) Federal, Local and Miscel- laneous Funds			301,475	
(3) Funds Generated as a Re- sult of Bond Proceeds- Estimated			200,000	
Total Tennessee Valley Ex- hibit Commission of Alabama		70,766	501,475	572,241

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
120. TOURISM AND TRAVEL, BUREAU OF:				
(a) Tourism and Travel Promo- tion Program				4,436,999
(b) Grants and Benefits Program				914,583
Of the above appropriation, \$50,000 shall be transferred to the Cahaba Trace Commis- sion.				
(c) Alabama Reunion				300,000
SOURCE OF FUNDS:				
(1) State General Fund - Transfer	2,061,221			
(2) Lodgings Tax (\$0.01)		3,590,361		
Receipts collected under the provisions of Section 40-26-1 et seq., <u>Code of</u> <u>Alabama 1975.</u>				
Total Bureau of Tourism and Travel	2,061,221	3,590,361		5,651,582
121. TREASURER, STATE:				
(a) Fiscal Management Program				1,648,353
SOURCE OF FUNDS:				
(1) State General Fund	1,648,353			
Total State Treasurer	1,648,353			1,648,353
122. UNIFORM STATE LAWS, ALABAMA COMMISSION ON:				
(a) Special Services Program, Estimated				6,500
SOURCE OF FUNDS:				
(1) State General Fund	6,500			
As provided in Section 41- 9-374, <u>Code of Alabama</u> <u>1975.</u>				
Total Alabama Commission on Uniform State Laws	6,500			6,500
123. VETERANS' AFFAIRS, DEPARTMENT OF:				
(a) Administration of Veterans' Affairs Program				2,860,397

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
SOURCE OF FUNDS:				
(1) State General Fund	2,860,397			
Total Department of Veterans' Affairs	2,860,397			2,860,397
124. VETERINARY MEDICAL EXAMINERS, ALABAMA STATE BOARD OF:				
(a) Professional and Occupational Licensing and Regulation Program				145,000
SOURCE OF FUNDS:				
(1) State Board of Veterinary Medical Examiners Fund As provided in Section 34- 29-23 and Section 34-29- 41, Code of Alabama 1975.			145,000	
Total Alabama State Board of Veterinary Medical Examiners			145,000	145,000
125. WOMEN'S COMMISSION, ALABAMA:				
(a) Employment and Social Op- portunities Program				9,980
SOURCE OF FUNDS:				
(1) State General Fund	9,980			
Total Alabama Women's Commission	9,980			9,980
126. WOMEN'S HALL OF FAME, ALABAMA:				
(a) Historical Resources Manage- ment Program				5,662
SOURCE OF FUNDS:				
(1) State General Fund	5,662			
Total Alabama Women's Hall of Fame	5,662			5,662
127. YOUTH SERVICES, DEPARTMENT OF:				
(a) Juvenile Probation Officer's Subsidy				2,349,932
(b) Youth Services Program				1,909,310
The above appropriation shall be expended in accordance with				

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
the provision of the <u>Code of Alabama 1975</u> , as amended, Section 44-1-1 through 44-1-56.				
SOURCE OF FUNDS:				
(1) State General Fund - Juvenile Probation Officers Subsidy	2,349,932			
(2) State General Fund - Youth Services Program	617,977			
(3) Federal and Local Funds			1,291,333	
Total Department of Youth Services	2,967,909	1,291,333		4,259,242
128. LAW INSTITUTE, ALABAMA:				
(a) Support of Other Educational Activities Program				335,955
SOURCE OF FUNDS:				
(1) State General Fund	335,955			
Total Alabama Law Institute	335,955			335,955
129. DEPARTMENT OF EDUCATION:				
(a) Direct Client Services for the Handicapped/Projects-Vocational Rehabilitation/Crippled Children Services Program				2,030,000
The General Fund monies included in the above program are to be distributed by the Department of Education as follows:				
Homebound Program	2,000,000			
Eye Injury Register	30,000			
SOURCE OF FUNDS:				
(1) State General Fund	2,030,000			
Total Department of Education	2,030,000			2,030,000
130. SPACE SCIENCE EXHIBIT COMMISSION:				
(a) Tourism and Travel Promotion Program				200,000

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
SOURCE OF FUNDS:				
(1) State General Fund	200,000			
Total Space Science Exhibit Commission	200,000			200,000
131. SPECIAL INDUSTRIAL JOB TRAINING:				
(a) Industrial Training Program ..				1,000,000
This appropriation shall be administered by the Alabama Industrial Development Training Institute to provide training and/or training assistance. Of the above appropriation, \$500,000 shall be used for Boeing Space Laboratory, Huntsville, \$350,000 shall be used for the Alabama Center for Quality and Productivity and \$100,000 for Partek, Phenix City.				
SOURCE OF FUNDS:				
(1) State General Fund	1,000,000			
Total Special Industrial Job Training	1,000,000			1,000,000
132. FARM CRISIS AND TRANSITION PROGRAM:				
(a) Agricultural and Development Services Program				100,000
SOURCE OF FUNDS:				
(1) State General Fund	100,000			
Total Farm Crisis and Tran- sition Program	100,000			100,000
133. GOVERNOR'S CONTINGENCY FUND:				
(a) Executive Direction Program				500,000
SOURCE OF FUNDS:				
(1) State General Fund	500,000			
Total Governor's Contingency Fund	500,000			500,000
The above appropriation to the Governor's Contingency Fund				

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
shall be expended solely for ex- penses directly related to the operation of the Governor's Of- fice and the Governor's man- sions.				
2D. OTHER FUNCTIONS OF GOVERNMENT FUNDED FROM THE STATE GENERAL FUND:				
1. ADVERTISING LANDS FOR TAX SALE:				
(a)	State Revenue Administration Program, Estimated			60,000
SOURCE OF FUNDS:				
(1)	State General Fund	60,000		
	As provided in Section 40- 10-22, <u>Code of Alabama</u> 1975.			
Total Advertising Lands for Tax Sale		60,000		60,000
2. ARREST OF ABSCONDING FELONS:				
(a)	Criminal Investigation Pro- gram, Estimated			65,000
SOURCE OF FUNDS:				
(1)	State General Fund	65,000		
	As provided in Section 15- 9-3, <u>Code of Alabama</u> 1975.			
Total Arrest of Absconding Felons		65,000		65,000
3. COSTS FOR REAPPORTIONMENT:				
(a)	Reapportionment Legal Ad- vice and Legal Services Pro- gram, Estimated			50,000
(b)	Technical Services Related to Reapportionment			100,000
SOURCE OF FUNDS:				
(1)	State General Fund	150,000		
Total Costs for Reapportion- ment Program		150,000		150,000

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
4.	AUTOMATIC APPEAL EXPENSE:			
	(a) Legal Advice and Legal Serv- ices Program, Estimated			100
	SOURCE OF FUNDS:			
	(1) State General Fund	100		
	As provided in Section 12- 22-150 and Section 12-22- 241, <u>Code of Alabama</u> 1975.			
	Total Automatic Appeal Expense	100		100
5.	CIVIL COURT COSTS IN CONNECTION WITH AD VALOREM TAX ASSESSMENTS APPEALS:			
	(a) State Revenue Administration Program, Estimated			200
	SOURCE OF FUNDS:			
	(1) State General Fund	200		
	As provided in Section 40- 7-45, <u>Code of Alabama</u> 1975.			
	Total Civil Court Costs in Connection with Ad Valorem Tax Assessments Appeals	200		200
6.	CONSUMER UTILITY RATE HEARING:			
	(a) Executive Direction Program			250,000
	SOURCE OF FUNDS:			
	(1) State General Fund - Transfer	250,000		
	As provided in Section 37- 1-18 <u>Code of Alabama</u> 1975.			
	Total Consumer Utility Rate Hearing	250,000		250,000

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
7.	COURT RELATED COSTS NOT OTHERWISE PROVIDED FOR:			
	(a) Court-Assessed Costs Provided in Code of Alabama 1975, Section 22-52-14 and Act 87-574, Estimated			500,000
	(b) Legal Advice and Legal Services Program. It is the intent of the Legislature that the appropriation in this subsection be expended for Court Costs to include costs of depositions, witness fees and expenses, filing and docket fees, court reporters, court judgments, attorneys fees, out-of-court settlements, and other expenses ordered by the court or normally identified as costs of court, when any of the above is approved by the Attorney General.			500,000
	SOURCE OF FUNDS:			
	(1) State General Fund, Estimated	500,000		
	(2) State General Fund	500,000		
	Total Court Costs Not Otherwise Provided for	1,000,000		1,000,000
8.	COURT COSTS-ACT NO. 558, 1957:			
	(a) Court Operations Program, Estimated			500
	SOURCE OF FUNDS:			
	(1) State General Fund	500		
	Pursuant to Act No. 558, 1957, page 777.			
	Total Court Costs-Act No. 558, 1957	500		500
9.	DISTRIBUTION OF PUBLIC DOCUMENTS:			
	(a) Administrative Support Services Program, Estimated			80,000
	SOURCE OF FUNDS:			
	(1) State General Fund	80,000		

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
As provided in Sections 41-21-8 and 36-14-1, and 36-14-11, <u>Code of Alabama 1975.</u>				
Total Distribution of Public Documents		80,000		80,000
10.	STATE DOCKS TRANSFER			3,500,000
SOURCE OF FUNDS:				
(1)	State General Fund - Transfer	3,500,000		
The above appropriation to the State Docks shall be conditional upon the availability of funds and shall remain in the State General Fund until a demonstrated need is determined and recommended by the Finance Director and approved by the Governor.				
Total State Docks Transfer		3,500,000		3,500,000
11.	ELECTION EXPENSES:			
(a)	Special Services Program, Estimated			935,000
(b)	Training of Election Officials, Estimated			65,000
For payment of expenses pursuant to the court order entered by the U.S. District Court, Middle District of Alabama in Civil Action No. 84-T-595-N.				
SOURCE OF FUNDS:				
(1)	State General Fund	1,000,000		
As provided in Section 17-4-153, <u>Code of Alabama 1975.</u>				
Total Election Expenses		1,000,000		1,000,000
12.	EMERGENCY FUND, DEPARTMENTAL:			
(a)	Special Services Program			1,500,000
SOURCE OF FUNDS:				
(1)	State General Fund	1,500,000		
This is the appropriation contemplated in Section				

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	Fund Sources Included In Appropriation Total		Appropriation Total
	General Fund	Trust Fund	
<p>41-4-94, <u>Code of Alabama 1975</u>, and shall be the only amount appropriated and the total amount expended under the provisions of said section. This appropriation shall be expended solely for the purpose of addressing a financial emergency within a state department, board, commission, bureau, office, or agency. None of the above appropriation may be transferred to the Governor's Contingency Fund.</p> <p>None of the above appropriation may be used to fund any state department, fund, board, commission, bureau, office, or agency that has not been appropriated funds from any source under the provisions of this act.</p>			
Total Departmental Emergency Fund	1,500,000		1,500,000
13. FEEDING OF PRISONERS:			
(a) Institutional Services - Corrections Program, Estimated			3,000,000
SOURCE OF FUNDS:			
(1) State General Fund	3,000,000		
For expenses of feeding prisoners in county jails in accordance with Section 14-6-42, <u>Code of Alabama 1975</u> .			
Total Feeding of Prisoners	3,000,000		3,000,000
14. DEPARTMENT OF FINANCE-EMPLOYEES' SUGGESTION AWARDS PROGRAM:			
(a) Fiscal Management Program			15,000
SOURCE OF FUNDS:			
(1) State General Fund	15,000		

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
In accordance with Section 36-1-7, <u>Code of Alabama 1975.</u>				
Total Department of Finance-Employees' Suggestion Awards Program		15,000		15,000
15.	DEPARTMENT OF FINANCE-FEMA:			
(a)	Readiness and Recovery Program, Estimated			1,100,000
	Payments of the State's share of administrative costs and matching grants furnished by the Federal Emergency Management Agency.			
	SOURCE OF FUNDS:			
(1)	State General Fund	1,100,000		
	Total Department of Finance-FEMA	1,100,000		1,100,000
16.	FOREST FIRE FUND, EMERGENCY:			
(a)	Forest Resources Protection Program			180,000
	SOURCE OF FUNDS:			
(1)	State General Fund - Transfer	180,000		
	As provided by Section 9-3-10.1, <u>Code of Alabama 1975.</u>			
	Total Emergency Forest Fire Fund	180,000		180,000
17.	GOVERNOR'S CONFERENCE, NATIONAL:			
(a)	Executive Direction Program			135,760
	SOURCE OF FUNDS:			
(1)	State General Fund	135,760		
	Total National Governor's Conference	135,760		135,760
18.	GOVERNOR'S COUNCILLOR:			
(a)	Executive Direction Program, Estimated			26,000
	SOURCE OF FUNDS:			
(1)	State General Fund	26,000		

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
As provided in Section 36-13-13, <u>Code of Alabama</u> 1975.				
Total Governor's Councillor ...		26,000		26,000
19.	GOVERNOR'S PROCLAMATION EXPENSES:			
(a)	Executive Direction Program, Estimated			200,000
SOURCE OF FUNDS:				
(1)	State General Fund	200,000		
As provided in Section 17-14-21, <u>Code of Alabama</u> 1975.				
Total Governor's Proclamation Expenses		200,000		200,000
20.	GOVERNORS' WIDOWS RETIREMENT:			
(a)	Executive Direction Program, Estimated			14,400
SOURCE OF FUNDS:				
(1)	State General Fund	14,400		
As provided in Section 36-13-12, <u>Code of Alabama</u> 1975.				
Total Governors' Widows Retirement		14,400		14,400
21.	INTERPRETER'S ACCOUNT:			
(a)	Court Operations Program, Estimated			2,500
SOURCE OF FUNDS:				
(1)	State General Fund	2,500		
As provided in Sections 12-21-131 et seq., <u>Code of Alabama</u> 1975.				
Total Interpreter's Account ...		2,500		2,500
22.	LAW ENFORCEMENT FUND:			
(a)	Criminal Investigation Program			2,500
SOURCE OF FUNDS:				
(1)	State General Fund - Transfer	2,500		

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		Fund Sources Included In Appropriation Total		
		General Fund	Trust Fund	Appropriation Total
As provided in Section 28-4-312, <u>Code of Alabama 1975.</u>				
Total Law Enforcement Fund		2,500		2,500
23. LAW ENFORCEMENT LEGAL DEFENSE:				
(a) Legal Advice and Legal Services Program, Estimated				3,000
SOURCE OF FUNDS:				
(1) State General Fund		3,000		
To carry out provisions of Section 36-21-1, <u>Code of Alabama 1975.</u>				
Total Law Enforcement Legal Defense		3,000		3,000
24. LIABILITY INSURANCE FUND, STATE				
				1,000,000
SOURCE OF FUNDS:				
(1) State General Fund - Transfer		1,000,000		
As provided in Section 36-1-6.1, <u>Code of Alabama 1975.</u>				
Total State Liability Insurance Fund		1,000,000		1,000,000
Of the above appropriation \$40,000 is hereby appropriated to the Liability Insurance Board for administrative expenses.				
25. MAILING TAX NOTICES:				
(a) State Revenue Administration Program, Estimated				100
SOURCE OF FUNDS:				
(1) State General Fund		100		
As provided in Section 40-7-25, <u>Code of Alabama 1975.</u>				
Total Mailing Tax Notices		100		100

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
26.	MILITARY - EMERGENCY ACTIVE DUTY PAY:			
	(a) Military Operations Program, Estimated			200,000
	SOURCE OF FUNDS:			
	(1) State General Fund	200,000		
	As provided in Section 31- 2-85, <u>Code of Alabama</u> 1975.			
	Total Military - Emergency Active Duty Pay	200,000		200,000
27.	POLICEMAN'S SURVIVOR TUITION ACT:			
	(a) Support of Other Educational Activities Program, Estimated			15,000
	SOURCE OF FUNDS:			
	(1) State General Fund	15,000		
	As provided in Sections 36- 21-95 through 36-21-99, <u>Code of Alabama</u> 1975.			
	Total Policeman's Survivor Tuition Act	15,000		15,000
28.	PRESIDENTIAL ELECTORAL EXPENSE:			
	(a) Administrative Support Serv- ices Program, Estimated			2,000
	SOURCE OF FUNDS:			
	(1) State General Fund	2,000		
	As provided in Section 17- 19-8, <u>Code of Alabama</u> 1975.			
	Total Presidential Electoral Expense	2,000		2,000
29.	PRINTING OF CODE SUPPLEMENTS - LEGISLATIVE REFERENCE SERVICE:			
	(a) Legislative Operations and Support Program, Estimated			500,000
	SOURCE OF FUNDS:			
	(1) State General Fund	500,000		

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
As provided in Section 29-7-6, Code of Alabama 1975.				
Total Printing of Code Supplements - Legislative Reference Service		500,000		500,000
30.	PRINTING CODES AND SUPPLEMENTS - SECRETARY OF STATE:			
	(a) Administrative Support Services Program, Estimated			165,000
	SOURCE OF FUNDS:			
	(1) State General Fund	165,000		
	As provided in Sections 41-21-1 and 41-21-154, Code of Alabama 1975.			
	Total Printing Codes and Supplements - Secretary of State	165,000		165,000
31.	PRINTING OF LEGISLATIVE ACTS AND JOURNALS:			
	(a) Administrative Support Services Program, Estimated			500,000
	SOURCE OF FUNDS:			
	(1) State General Fund	500,000		
	As provided in Sections 41-4-130 through 41-4-161, Code of Alabama 1975.			
	Total Printing of Legislative Acts and Journals	500,000		500,000
32.	PRINTING OF STATE AND COUNTY PRIVILEGE LICENSES:			
	(a) State Revenue Administration Program, Estimated			25,000
	SOURCE OF FUNDS:			
	(1) State General Fund	25,000		
	Total Printing of State and County Privilege Licenses	25,000		25,000
33.	REGISTRATION OF VOTERS:			
	(a) Special Services Program, Estimated			1,000,000
	SOURCE OF FUNDS:			
	(1) State General Fund	1,000,000		
	In accordance with Sections 17-4-126 and 17-4-			

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
<u>153, Code of Alabama</u> <u>1975.</u>				
Total Registration of Voters ...		1,000,000		1,000,000
34.	REMOVAL OF PRISONERS:			
(a)	Administrative Services and Logistical Support Program, Estimated			300,000
SOURCE OF FUNDS:				
(1)	State General Fund	300,000		
As provided in Sections 15- 10-70 through 15-10-73 and 15-9-62, 15-9-65, and 15-9-81, <u>Code of Alabama</u> <u>1975.</u>				
Total Removal of Prisoners		300,000		300,000
35.	STATE GENERAL FUND,			
	ESTIMATED			57,000,000
SOURCE OF FUNDS:				
(1)	Heritage Trust Income Fund Transfer, Estimated		57,000,000	
All income other than in- come realized on sale of Trust Fund assets and not otherwise appropriated herein.				
Total State General Fund, Estimated			57,000,000	57,000,000
36.	STATE TREASURER- PREVIOUS YEAR'S UNPAID WARRANTS:			
(a)	Special Services Program, Estimated			200,000
SOURCE OF FUNDS:				
(1)	State General Fund	200,000		
As provided in Section 41- 4-60, <u>Code of Alabama</u> <u>1975.</u>				
Total State Treasurer-Pre- vious Year's Unpaid Warrants		200,000		200,000
37.	REPAYMENT-ACT 86-645 FUND NO. 305735			
				7,000,000
Notwithstanding the provi- sions of Act #87-761 or any				

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
other law to the contrary, the above appropriation shall be conditioned on the availability of funds in the State General Fund and upon the approval of the Governor.				
SOURCE OF FUNDS:				
(1) State General Fund - Transfer		7,000,000		
Total Repayment-Act 86-645 Fund No. 305735		7,000,000		7,000,000
2E. DEBT SERVICE FUNDED FROM THE STATE GENERAL FUND:				
1. General Obligation Capital Improve- ment Bonds, Series B, Estimated ...				1,184,000
SOURCE OF FUNDS:				
(1) State General Fund - Transfer		1,184,000		
Total General Obligation Cap- ital Improvement Bonds, Se- ries B, Estimated		1,184,000		1,184,000
2. General Obligation Coosa Waterway Bonds, Series A and B, Estimated ..				1,015,270
SOURCE OF FUNDS:				
(1) State General Fund - Transfer		1,015,270		
Total General Obligation Coosa Waterway Bonds, Series A and B, Estimated		1,015,270		1,015,270
3. General Obligation Docks Facilities Bonds, Series A-C, Estimated				4,599,000
SOURCE OF FUNDS:				
(1) State General Fund - Transfer		4,599,000		
Total General Obligation Docks Facilities Bonds, Series A-C, Estimated		4,599,000		4,599,000
4. Tennessee-Tombigbee Waterway Bonds, Series A and C-D, Estimated				3,401,367
SOURCE OF FUNDS:				
(1) State General Fund - Transfer, Estimated		3,401,367		
Pursuant to Constitu- tional Amendment No. 270				

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
as provided in Act No. 248, 1967 Regular Session.				
Total Tennessee-Tombigbee Waterway Bonds, Series A and C-D, Estimated		3,401,367		3,401,367
5.	Corrections Institution Bonds, Estimated			1,817,000
SOURCE OF FUNDS:				
(1)	State General Fund - Transfer, Estimated	1,817,000		
Pursuant to Constitu- tional Amendment No. 374 as provided for in Act No. 134, 1978 Second Special Session.				
Total Corrections Institution Bonds, Estimated		1,817,000		1,817,000
6.	General Obligation Capital Bonds, 1982, Series A and B, and General Obligation Refunding Bonds, 1983, Series A and B, Estimated			66,665,897
SOURCE OF FUNDS:				
(1)	State General Fund - Transfer	66,665,897		
Total General Obligation Cap- ital Bonds, 1982, Series A and B, and General Obligation Re- funding Bonds, 1983, Series A and B, Estimated		66,665,897		66,665,897
2F. CONDITIONAL APPROPRIATIONS				
In addition to the appropriations here- tofor made there is hereby appropriated to the following agencies from the State General Fund the following amounts in the following priority to be conditioned on the availability of funds in the State General Fund and the approval of the Governor:				
1.	Department of Finance-Capitol Renovation			3,000,000
2.	Alabama Department of Economic and Community Affairs			3,000,000
State Planning Program for capital facilities to be used for scientific re- search conducted in the Birming- ham area.				

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	Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
	General Fund	Trust Fund	
3. Public Safety, Automated Finger- print Identification System			2,500,000
4. Department of Corrections			1,100,000
For expanded facilities at Bullock County.			
5. Department of Corrections			3,213,452
In addition, the following condi- tional appropriations are made after the above priority items are funded conditioned only on availability of funds and approval of the Governor:			
6. Department of Finance-Capitol Renovation			6,385,000
7. Public Safety, Department of			4,576,925
8. Mental Health, Department of. For the reduction in cigarette tax reve- nue due to the issuance of Mental Health Bonds			4,200,000
9. Environmental Management, De- partment of			324,365
10. Ethics Commission			16,834
11. Farmer's Market Authority			532
12. Finance, Department of			675,139
13. Finance-Air Transportation			98,301
14. Examiners of Public Accounts			560,665
15. Legislative Reference Service			59,008
16. Department of Public Health. For the reduction in cigarette tax reve- nue due to the issuance of Mental Health Bonds			1,800,000
17. Governor's Office			148,752
18. Education, Department of			69,380
19. Building Commission			33,453
20. Military Department			735,053
21. Labor, Department of			21,123
22. Insurance, Department of			362,653
23. Industrial Relations, Department of			195,315
24. Emergency Management Agency			155,789
25. Law Institute, Alabama			42,333
26. Secretary of State			118,282
27. Securities Commission			184,233

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	Fund Sources Included In Appropriation Total		Appropriation Total
	General Fund	Trust Fund	
28. Adjustment, Board of			100,000
29. Alabama Development Office			1,305,611
30. Farm Crisis and Transition Center			72,900
31. Forensic Sciences			283,058
32. Geological Survey			15,037
33. Governor's Mansion			7,445
34. Academy of Honor, Alabama			1,531
35. Cahawba Advisory Committee			382
36. Elk River Development Agency			171
37. Gorgas Memorial Board			3,210
38. Motor Sports Hall of Fame			20,766
39. TVA Exhibit Commission			250,000
40. Women's Commission, Alabama			399
41. Governor's Proclamation Expense ..			50,000
42. Election Expenses			1,500,000
43. Finance-Telephone Revolving Fund			188,895
44. Oil and Gas Board			4,860
45. Soil and Water Conservation			495
46. Southern Growth Policies Board			1,113
47. Treasurer			2,982
48. Veterans' Affairs			5,126
49. Auditor's Office			39,591
50. Youth Services			236,931
51. Departmental Emergency Fund			500,000
52. Fair Trial Tax Transfer			500,000
53. Department of Finance - FEMA			200,000
54. Military Emergency Active Duty Pay			100,000
55. Policeman's Survivor Tuition Act ...			15,000
56. Registration of Voters			660,000
57. Legislative Fiscal Office			92,462
58. State Treasurer - Previous Year Un- paid Warrant			75,000
59. Advertising Lands For Tax			55,000
60. Conservation and Natural Resources			1,092,813
61. Economic and Community Affairs			1,340,000
62. Governor's Mansion Advisory Board-Capital Outlay			250,363

FIRST EXTRAORDINARY SESSION
12th Day

779

	Fund Sources Included In Appropriation Total		Appropriation Total
	General Fund	Trust Fund	
63. Alabama Trust Fund Board			200,000
64. District Attorneys			102,571
65. Feeding of Prisoners			1,000,000

SECTION 3. That, except as may be herein otherwise provided, amounts herein specifically appropriated shall be in lieu of the amounts heretofore provided or appropriated by law for such purposes. That the amounts herein appropriated are the maximum amounts to be expended for the purposes herein designated and in no event shall the maximum expenditure provided for any items of expense exceed the amount allocated herein except as may be provided for under Sections 5 and 6 of this bill, as provided in the Budget Management Act of 1976, Sections 41-19-1 et seq., Code of Alabama 1975, and those appropriations herein made, except appropriations to the Alabama Alcoholic Beverage Control Board for the purchase of alcoholic beverages, are and shall be subject to the terms, conditions, provisions and limitations of Sections 41-4-80 et seq., Code of Alabama 1975, and the Budget Management Act of 1976, Sections 41-19-1 et seq., Code of Alabama 1975.

SECTION 4. That any surplus remaining in any appropriation herein made from the State General Fund to any office, department, bureau, board, commission or agency may be transferred, on order of the Governor, to any other appropriation herein made from the State General Fund when such appropriation to any office, department, bureau, board, commission, or agency is insufficient to pay salaries in that office, department, bureau, board, commission or agency.

SECTION 5. In addition to appropriations herein made, all gifts, grants, contributions, or entitlements, in excess of the amount carried in the bill, including grants by the Congress of the United States, municipalities or counties, to any department, division, board, bureau, commission, agency, institution, office or officer of the State of Alabama are hereby appropriated and, in the event the same are recurring, are reappropriated to such department, division, board, bureau, commission, agency, institution, office or officer to be used only for the purpose or purposes for which the grant or contribution was or shall be made. Notwithstanding any laws to the contrary, any receipts during fiscal year 1988-89 which exceed an amount of up to 1% of such fiscal year state revenue receipts or up to \$100,000, whichever is greater, to any state fund or from any state revenue source that exceed the amount appropriated by this Act to any state fund, department, agency, division, board, bureau, commission, institution, or office with the exception of revenue to the Real Estate Commission; the Board of Cosmetology; the Department of Finance-Data Systems Management; Telephone Revolving Fund; Alabama Building Finance Authority; Capitol Complex Maintenance and Repair; Alabama Building Authority; Central Mail and Supply; Motor Pool; and Printing and Publications; Alabama Manufactured Housing Commission; and funds constitutionally earmarked for construction and maintenance of public roads and bridges shall be transferred to the State General Fund within thirty (30) days after September 30, 1989. Further, all state, county, municipal and educational entities are authorized to disburse such sums as deemed necessary by mutual agreement between said entities and the State of Alabama, Department of Examiners of Public Accounts to partially defray the cost of auditing services performed by said agency. All such sums are hereby appropriated and reappropriated if necessary to the Department of Examiners of Public Accounts for audit services, to be expended through the fund established by Section 41-5-24, Code of Alabama, 1975.

JOURNAL OF THE SENATE, 1988
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Fund Sources Included In Appropriation Total		Appropriation Total
General Fund	Trust Fund	

SECTION 6. Under the State and Local Fiscal Assistance Act of 1972, as amended, Public Law 92-512, 92nd Congress, any interest earned by the State thereon, together with any accruals or reversions accruing from Revenue Sharing Investments are hereby appropriated to the State General Fund. In the event that \$7,000,000 is repaid to the Revenue Sharing Account during FY 1988-89, any interest earned on that \$7,000,000 shall be appropriated to the Governor's Contingency Fund.

SECTION 7. All encumbered balances of a previous fiscal year appropriation other than the exclusions authorized in Section 41-4-93, Code of Alabama 1975, shall lapse on September 30 of the fiscal year immediately following the fiscal year for which the appropriation was made and shall revert to the credit of the State General Fund or the trust fund from which the appropriation or appropriations were made.

SECTION 8. The appropriations made herein to the departments, boards, offices, commissions, and agencies include the amount necessary and said departments, boards, offices, commissions, and agencies are hereby directed to make the transfer of funds to the State Personnel Department in the amounts enumerated in Section 2C, Subsection 97.

SECTION 9. That, if any section, paragraph, sentence, clause, provision, or portion of this Act or all or any portion of any appropriations herein made be held unconstitutional or invalid, it shall not affect any other section, paragraph, sentence, clause, provision or portion of this Act or any other appropriation or appropriations or portion thereof hereby made not in and of itself unconstitutional or invalid.

SECTION 10. That all laws and parts of laws, general, special, private, or local in conflict with or inconsistent with the provisions of this Act be and the same are hereby expressly repealed.

SECTION 11. That each Department of the State funded through the provisions of this budget shall provide an equal opportunity for employment and business opportunities for all citizens of this state without regard to sex or race.

SECTION 12. That this Act shall become effective October 1, 1988.

RECESS

At 1 o'clock P.M., Senator Manley moved that the Senate take a recess until 3 o'clock this afternoon.

Senator Parsons offered a substitute motion that the Senate take a recess until 2:30 this afternoon, which motion was adopted.

AFTERNOON SESSION
TWELFTH LEGISLATIVE DAY
SEPTEMBER 22, 1988

At 2:30 P.M., the Senate reassembled in the Senate Chamber, Lieutenant Governor Folsom presiding.

ROLL CALL

Present:

Senators:	Campbell	Figures	Manley
Amari	Corbett	Foshee	Menton
Bailey	Covington	Goodwin	Mitchem
Barron	deGraffenried	Hale	Parsons
Bedford	Denton	Hand	Preuitt
Bedsole	Dial	Hilliard	Rice
Bennett	Dixon	Holmes	Sanders
Bishop	Drinkard	Horn	Smith (B)
Cabaniss	Ellis	Langford	Smith (J)

—35

FURTHER CONSIDERATION OF H. B. 27

The Senate proceeded to further consideration of the Bill, H. B. 27. The question was on the substitute offered by Senator Horn.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 99. To provide for the establishment of a fund from which survivor allowances for spouses of deceased district or supernumerary district attorneys shall be paid; to provide requirements for eligibility for receipt of such benefits; to provide funding for the proper operations and maintenance of such fund; and to provide for the management of such fund.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 128. To provide for the appointment of a chief deputy tax collector by the elected Jefferson County tax collector and to provide for compensation, funding and qualifications of said chief deputy.

Also:

S. 137. To amend Act No. 1272 of the Regular Session of the Legislature of Alabama of 1973, approved September 18, 1973, as amended, to provide for the participation of the unclassified employees of the City of Birmingham

in the retirement and relief system of the City of Birmingham and to provide for related matters.

Also:

S. 138. To amend Act No. 929, 1951 Regular Session (General Acts of 1951, p. 1579), as amended by Act No. 1272, 1973 Regular Session (Acts 1973, p. 2124), and as previously and subsequently amended, which created a retirement system for officers and employees in cities of two hundred thousand or more inhabitants according to the latest federal decennial census, so as to provide further for the payments of benefits during periods of re-employment.

Also:

S. 139. To amend Act No. 453 of the 1967 Regular Session of the Legislature of Alabama, (1967 Acts of Alabama, page 1129), as amended by Act No. 393 of the 1975 Regular Session of the Legislature of Alabama, said acts providing a pension and relief fund for officers and employees of the library board of any city having a population of three hundred thousand or more according to the last and any subsequent federal census, said act applicable to the officers and employees of the Birmingham Public Library System, to provide for the participation of the employees of the library board who are currently entitled to participate in the unclassified pension relief plan of the City of Birmingham to participate in the Birmingham Library Board Employees Pension and Relief Fund and to provide for related matters.

Also:

S. 140. To amend section 11-52-32 of the Code of Alabama 1975 relating to planning, zoning and subdivisions, so as to provide further for the planning commissions of Class 1 municipalities to elect no less than three and no more than five of the members thereof to serve as a committee to approve or disapprove any plat presented to such commission.

JOHN W. PEMBERTON,
Clerk.

FURTHER CONSIDERATION OF H. B. 27

The Senate proceeded to further consideration of the Bill, H. B. 27. The question was on the substitute offered by Senator Horn.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 95. To provide further a salary increase for certain state employees and to appropriate funds therefor for the fiscal year ending September 30, 1989.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of

a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 6. Relating to elections; to define the meaning of terms used in this act; to provide for the designation and organization of a principal campaign committee by each candidate for election to state or local office; to designate the Secretary of State and the Judge of Probate as the recipients of reports and statements required to be filed by this act; to provide for the registration of political committees, including the principal campaign committee of each candidate; to provide for the reporting of contributions received and expenditures made by political committees; to provide for the designation of campaign depositories; to delineate the duties of the Secretary of State and Judge of Probate; to provide for the disbursement of campaign contributions in excess of expenditures; to provide for proper identification of campaign advertising; to prohibit the intimidation of voters, certain expenditures to influence voting, the publication or distribution of certain political statements, contributions in the name of another, fraudulent misrepresentations of campaign authority, and coercion of contributions; to provide penalties for the violation of the provisions of this act; to require that certificates of election be withheld under certain circumstances; to repeal chapter 22 of Title 17 of the Code of Alabama 1975; and to provide certain retroactive effect.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

FURTHER CONSIDERATION OF H. B. 27

The Senate proceeded to further consideration of the Bill, H. B. 27. The question was on the substitute offered by Senator Horn.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Joint Resolutions with the original Senate Joint Resolutions, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 76. MOURNING THE DEATH OF MARY HARRIETT MOON
HAND OF HEFLIN, ALABAMA.

Also:

S. J. R. 77. NAMING THE DUAL BRIDGES, SPANNING CHAT-TASOFKA CREEK ON THE U. S. 280 DADEVILLE BY-PASS, IN HONOR OF JESSIE DENSON MCGILL.

BILL DRINKARD,
Chairperson.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolutions, the titles of which are set out in the foregoing report from the Committee on Rules.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 29. To amend Section 9-11-257, Code of Alabama 1975, as last amended, relating to hunting within 100 yards of roads, highways, or railroads without permission from an adjacent landowner, so as to provide that no person, except a duly authorized law enforcement officer acting in the line of duty or person otherwise authorized by law, shall hunt or discharge any firearm from, upon, or across any public road, public highway or railroad, or their rights-of-way, logging railroads excepted; and to provide penalties for the violation thereof.

Also:

S. 52. To amend Section 43-2-502 of the Code of Alabama 1975, relating to the filing of accounts by executors or administrators, so as to provide that the written evidence in the possession of an executor or administrator on which the executor or administrator relies to sustain the credit side of the account may consist of an affidavit or any other legal evidence, in the discretion of the executor or administrator.

Also:

S. 59. Relating to Jefferson County; to continue the office of Assistant Sheriff, Bessemer Division: to prescribe the duties, responsibilities and term; to provide for the appointment, qualifications and compensation of said office; to repeal all conflicting statutes; to provide for severability of the provisions of this act and to prescribe the effective date of such act.

Also:

S. 61. Relating to Jefferson County; to prescribe for the compensation of the Chief Deputy Sheriff of Jefferson County and to provide for the payment thereof.

Also:

S. 127. Relating to Jefferson County; to provide for the appointment of a Chief Deputy Tax Collector by the elected Jefferson County Assistant Tax Collector, Bessemer Division, and to provide for compensation, funding and qualifications of said Chief Deputy.

Also:

S. 141. To further amend Section 6 of Act No. 529 of the Legislature of Alabama of 1923, as codified in Title 62, Section 725, Code of Alabama 1940 (Recomp. 1958) and as amended by Act No. 87-788 to provide an expense allowance for members of the Park and Recreation Board of the City of Birmingham.

Also:

S. 202. Relating to Franklin County; amending Act No. 88-562, S. 667, 1988 Regular Session (Acts 1988, p. 881), levying a county privilege, license or excise tax on the sale, distribution, storage, use or other consumption of tobacco and certain tobacco products in such county, so as to provide further for the collection and enforcement of the tax; and for the distribution of the proceeds therefrom.

Also:

S. 211. To supplement the salaries of the circuit judges of the Sixth Judicial Circuit.

Also:

S. 214. Relating to Winston County; levying a county privilege, license or excise tax on the sale, distribution, storage, use or other consumption of tobacco and certain tobacco products in such county; providing for the collection and enforcement of the tax; providing for the distribution of the proceeds therefrom; and providing for a referendum.

Also:

S. 215. Relating to Lamar County; levying a county privilege, license or excise tax on the sale, distribution, storage, use or other consumption of tobacco and certain tobacco products in such county; providing for the collection and enforcement of the tax; and providing for the distribution of the proceeds therefrom.

Also:

S. 216. Relating to Lamar County; levying a special county privilege and license tax paralleling the state sales tax levied on certain automotive vehicles provided for by section 40-23-101, Code of Alabama 1975, and a special county excise tax paralleling the state use taxes levied on the storage or use of certain automotive vehicles provided for by section 40-23-102, Code of Alabama 1975; specifying the rates at which such taxes shall be levied; providing for the ascertainment, collection, payment, distribution and use of the said taxes; and providing for enforcement of this act.

Also:

S. 217. To amend Section 9 of Act No. 88-562, S. 667 of the 1988 Regular Session of the Legislature, which act levies certain taxes on tobacco and tobacco products in Franklin County, so as to exempt Act No. 708 of

the 1965 Regular Session of the Legislature approved on September 1, 1965, from the repealer provisions of said Section 9.

Also:

S. 219. To amend Section 9 of Act No. 88-562, S. 667 of the 1988 Regular Session of the Legislature, which act levies certain taxes on tobacco and tobacco products in Franklin County, so as to exempt Act No. 708 of the 1965 Regular Session of the Legislature approved on September 1, 1965, from the repealer provisions of said Section 9.

Also:

S. 220. Relating to Marion County; amending Act No. 88-619, H. 1030, 1988 Regular Session (Acts 1988, p. 961), levying a county privilege, license or excise tax on the sale, distribution, storage, use or other consumption of tobacco and certain tobacco products in such county, so as to provide further for the collection and enforcement of the tax; and for the distribution of the proceeds therefrom.

Also:

S. 221. Relating to the City of Bear Creek in Marion County; to alter the corporate boundaries so as to include additional lands within the corporate limits; and to provide for a referendum thereon.

BILL DRINKARD,
Chairperson.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing report from the Committee on Rules.

FURTHER CONSIDERATION OF H. B. 27

The Senate proceeded to further consideration of the Bill, H. B. 27. The question was on the substitute offered by Senator Horn.

On motion of Senator Dial, further consideration of the Bill, H. B. 27, and pending substitute, was postponed subject to the call of the Chair.

RESOLUTION

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

S. R. 87. SPECIAL ORDER CALENDAR.

RESOLVED BY THE SENATE That the following bills in the order named shall be the paramount and continuing order of business taking precedence over all other matters for the twelfth legislative day of the 1988 First Special Session only:

FIRST EXTRAORDINARY SESSION
12th Day

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Inst Id	Page
H. 186	7
Chiropractors Hall of Fame Board, created.	
H. 12	3
State Bd. of Ed., members' comp., increase, Sec. 16-3-9, am'd.	
H. 201	10
Health care fac. license fees further provided, Sec. 22-21-24, am'd.	
H. 22	9
Fire protection sprinkler system business, further regulated, Secs. 34-33-1 through 34-33-6, 34-33-10, am'd.	
H. 8	13
Professional Corps. Act, substantially alt., Secs. 10-4-383, 10-4-387, 10-4-389, 10-4-403 and 10-4-234, am'd.	
H. 148	4
Retirement Systems, teachers and employees, option to convert unused sick leave into membership service, Sec. 36-26-36.1, am'd.	
H. 219	16
Inmates prohib. from employment by judges, dist. attys. and sheriffs and cert. businesses and relatives of such officials, penalties.	
H. 133	15
Election results reported to Sec. of St. by precincts, Secs. 17-13-7, 17-16-35, 17-16-36, 17-17-2, 17-19-4, 17-20-3, am'd.	
H. 77	11
County boards of education, schedule of meetings.	
H. 9	14
Mortgages foreclosure by power of sale, further provided.	
H. 279	5
Secretary of State Corporations Fund estab., corp. req. to provide copies of cert. filings, fees, approp., Secs. 10-2A-114, 10-2A-116, 10-2A-180, 10-2A-183, 10-2A-191, 10-2A-260, 10-2A-261, 10-2A-281, 10-2A-282, am'd.	
H. 240	7
U.S.S. Alabama Battleship Commission, expenses and authority, Secs. 41-9-341, 41-9-349, am'd.	
H. 16	8
Public service commission, auth. to participate in fed. proceedings on behalf of consumers, Sec. 37-1-47, am'd.	

H. 61 15

Registrability of business tradenames, Secs. 8-12-6, 8-12-7, 8-12-8, 8-12-9, 8-12-14, 8-12-16, 8-12-17, am'd.

H. 221 16

Guardianship laws, revised, Secs. 26-2A-6, 26-2A-7, 26-2A-73, 26-2A-138, 26-2A-142, 26-2A-8, am'd.

On motion of Senator Drinkard, the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 51. To amend §16-8-3 and §16-8-4, Code of Alabama, 1975, relating to the scheduling of regular meetings and annual public meetings of county boards of education.

Also:

S. 151. To amend Sections 16-6A-12 and 16-6A-13, Code of Alabama 1975, which provide for the Educational Reform Act of 1984, so as to provide further for eligibility for and repayment of scholarship loans for teacher education programs in critical needs areas.

Also:

S. 165. To amend Sections 34-33-1, 34-33-2, 34-33-3, 34-33-4, 34-33-5, 34-33-6 and 34-33-10 of the Code of Alabama 1975, relating to fire protection sprinkler systems, so as to redefine such systems and to further regulate the fire protection sprinkler system business in this state.

Also:

S. 193. To amend the Alabama Trademark Act to include the registrability of business trade names thereby creating an "Alabama Trademark and Trade Name Act" by amending sections 8-12-6, 8-12-7, 8-12-8, 8-12-9, 8-12-14, 8-12-16, and 8-12-17 of the Code of Alabama 1975; to provide for transition of existing trademarks; and to provide for an effective date of January 1, 1989.

JOHN W. PEMBERTON,
Clerk.

SPECIAL ORDER

BILLS ON THIRD READING RESUMED

The Senate proceeded to consideration of the second special, paramount, and continuing order of business for today, the first of which was the Bill:

H. 186. To provide for the establishment and operation of an Alabama Chiropractors' Hall of Fame Board, and to prescribe its powers and duties.

The Standing Committee on Health reported the following substitute for the Bill, H. B. 186, to-wit:

SUBSTITUTE FOR H. B. 186

**A BILL
TO BE ENTITLED
AN ACT**

To provide for the establishment and operation of an Alabama Chiropractors' Hall of Fame Board, and to prescribe its powers and duties.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The Alabama Chiropractors' Hall of Fame Board is hereby created and established. The board shall be composed of the executive committee of the Alabama State Chiropractic Association. The board shall meet annually at the office of the Alabama State Chiropractic Association and at such other times and places as its rules and bylaws may prescribe. A majority of the members shall constitute a quorum for the transaction of business. Members who cannot attend a meeting may appoint another member of the State Chiropractic Association to serve in their place for that meeting.

Section 2. It shall be the function and main purpose of the board to honor those living or dead, who by achievement or service, have made outstanding and lasting contributions to the profession and exhibited outstanding civic service in Alabama. The board may adopt such rules, regulations, and bylaws as it deems necessary to carry out its functions and duties.

Section 3. The board may solicit and accept donations, contributions and gifts of money and property or services, and all gifts made to the board shall be exempt from all taxation in Alabama. All property, money and income, of the board shall likewise be exempt from taxation.

Section 4. The board may expend funds donated or contributed for its use.

Section 5. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

On motion of Senator Foshee, said substitute was laid on the table.

Yeas 20; Nays 4.

Yeas:

Senators:	Corbett	Figures	Langford
Amari	Denton	Foshee	Menton
Bailey	Dial	Goodwin	Mitchem
Barron	Drinkard	Hale	Rice
Bedsole	Ellis	Hand	Smith (J)
Campbell			

—20

Nays:

Senators:	Cabaniss	Dixon	Smith (B)
Bedford			

—4

And said Bill, H. B. 186, was read a third time at length and passed.

Yeas 22; Nays 1.

Yeas:

Senators:	Bennett	Figures	Langford	
Amari	Cabaniss	Foshee	Menton	
Bailey	Campbell	Goodwin	Mitchem	
Barron	Corbett	Hale	Rice	
Bedford	Drinkard	Hand	Smith (J)	
Bedsole	Ellis	Horn		—22

Nay: Senator Dixon	—1
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THE BILL:

H. 12. To amend Section 16-3-9, Code of Alabama 1975, which provides for the expense allowance for members of the state board of education, so as to increase said allowance.

was read a third time at length and passed.

Yeas 22; Nays 1.

Yeas:

Senators:	Cabaniss	Figures	Langford	
Amari	Campbell	Foshee	Manley	
Bailey	Corbett	Goodwin	Menton	
Barron	Denton	Hale	Mitchem	
Bedsole	Dial	Hand	Smith (J)	
Bennett	Drinkard	Horn		—22

Nay: Senator Dixon	—1
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THE BILL:

H. 201. This bill amends Section 22-21-24, Code of Alabama, 1975, by increasing the fees for the license for health care facilities.

was read a third time at length and passed.

Yeas 23; Nays 0.

Yeas:

Senators:	Cabaniss	Drinkard	Horn	
Amari	Campbell	Figures	Langford	
Bailey	Corbett	Foshee	Manley	
Barron	deGraffenried	Goodwin	Menton	
Bedsole	Dial	Hale	Mitchem	
Bennett	Dixon	Hand	Smith (J)	—23

Nays:	—0
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THE BILL:

H. 22. To amend Sections 34-33-1, 34-33-2, 34-33-3, 34-33-4, 34-33-5, 34-33-6 and 34-33-10 of the Code of Alabama 1975, relating to fire protection sprinkler systems, so as to redefine such systems and to further regulate the fire protection sprinkler system business in this state.

was taken up.

On motion of Senator Langford, further consideration of the Bill was indefinitely postponed.

THE BILL:

H. 8. To amend Article 19 of Chapter 4 of Title 10 of the Code of Alabama (1975), as amended, the Revised Alabama Professional Corporation Act, by amending Sections 10-4-383, 10-4-387, 10-4-389, and 10-4-403 of the Code of Alabama (1975), as amended to determine the date of disqualification of shareholders; to allow corporations in existence December 31, 1983 in which licensed medical and dental professionals were allowed to be shareholders under Section 10-4-235, Code of Alabama (1975), to continue and to permit licensed medical and dental professionals to be allowed to be shareholders in the same professional corporation; permit professional associations in existence December 31, 1983 to continue to use the name professional associations or the abbreviation P.A.

was read a third time at length and passed.

Yeas 20; Nays 0.

Yeas:

Senators:	Campbell	Figures	Langford	
Amari	Corbett	Goodwin	Manley	
Bailey	deGraffenried	Hale	Menton	
Bedsole	Denton	Hand	Mitchem	
Bennett	Dixon	Holmes	Smith (J)	
Cabaniss				—20

Nays: —0

THE BILL:

H. 148. To provide that any member of the teachers' or employees' retirement system of Alabama not presently covered by a provision to convert unused sick leave into membership service for purposes of service retirement may do so under the provisions of §36-26-36.1 provided that no employee of an employer participating pursuant to §36-27-6 of the Code of Alabama 1975 shall be entitled to the benefits provided in this act unless such employer elects to come under the provisions of said act.

was read a third time at length and passed.

Yeas 19; Nays 0.

Yeas:

Senators:	Campbell	Dixon	Holmes	
Amari	Corbett	Figures	Langford	
Bailey	deGraffenried	Goodwin	Menton	
Bedsole	Denton	Hale	Mitchem	
Bennett	Dial	Hand	Smith (J)	—19

Nays: —0

THE BILL:

H. 219. To prohibit any state or county inmate from being employed by any district attorney, judge, or sheriff, or any parent, sibling, or child of

any district attorney, judge, or sheriff, or for any business one-third or more of which is owned by any district attorney, judge, or sheriff, or any parent, sibling, or child of any district attorney, judge, or sheriff; and to provide a misdemeanor penalty.

was read a third time at length and passed.

Yeas 20; Nays 0.

Yeas:

Senators:	Campbell	Dixon	Langford	
Amari	Corbett	Figures	Manley	
Bailey	deGraffenried	Hale	Menton	
Bedford	Denton	Hand	Mitchem	
Bedsole	Dial	Holmes	Smith (J)	
Bennett				—20

Nays: —0

THE BILL:

H. 133. To amend Sections 17-13-7, 17-16-35, 17-16-36, 17-17-2, 17-19-4, and 17-20-3, Code of Alabama, 1975, relating to the reporting of election results to the secretary of state so as to stipulate that the results will be reported by precincts.

was read a third time at length and passed.

Yeas 20; Nays 0.

Yeas:

Senators:	Corbett	Figures	Holmes	
Amari	Covington	Goodwin	Langford	
Bailey	deGraffenried	Hale	Manley	
Bedsole	Denton	Hand	Menton	
Bennett	Dial	Hilliard	Mitchem	
Campbell				—20

Nays: —0

THE BILL:

H. 77. This bill amends §16-8-3 and §16-8-4, Code of Alabama, 1975, relating to the scheduling of regular meetings and annual public meetings of county boards of education.

was taken up.

On motion of Senator Bedsole, further consideration of the Bill was indefinitely postponed.

THE BILL:

H. 9. To revise the law on powers contained in mortgages on real estate and to provide: definitions; foreclosure by power of sale; minimum standards for notice of sale; method of conducting foreclosure by power of sale; and successive sales under power permitted. This Act applies only to mortgages, defined herein, executed on or after the effective date of this Act which is January 1, 1989.

FIRST EXTRAORDINARY SESSION
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was read a third time at length and passed.

Yeas 20; Nays 0.

Yeas:

Senators:	Covington	Goodwin	Langford	
Amari	deGraffenried	Hale	Manley	
Bedsole	Denton	Hand	Menton	
Bennett	Dial	Hilliard	Mitchem	
Campbell	Figures	Holmes	Smith (J)	
Corbett				—20

<i>Nays:</i>				—0
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THE BILL:

H. 279. To amend Sections 10-2A-114, 10-2A-116, 10-2A-180, 10-2A-183, 10-2A-191, 10-2A-260, 10-2A-261, 10-2A-281 and 10-2A-282, Code of Alabama, 1975, so as to create the Secretary of State Corporations Fund, to provide for fees relating to corporations, to provide that the Secretary of State be provided copies of certain corporations filings, and to provide an appropriation from the Secretary of State Corporation Fund for the fiscal year 1988-89.

was read a third time at length and passed.

Yeas 12; Nays 6.

Yeas:

Senators:	Covington	Foshee	Menton	
Bedsole	deGraffenried	Goodwin	Mitchem	
Campbell	Denton	Langford	Smith (J)	
Corbett				—12

Nays:

Senators:	Hale	Holmes	Parsons	
Dial	Hand	Manley		—6

THE BILL:

H. 240. To amend Section 41-9-341, Code of Alabama, 1975, which relates to reimbursement of expenses of members of the USS Alabama Battleship Commission, so as to allow members to be reimbursed for actual expenses incurred from funds of the Commission and to amend Section 41-9-349, Code of Alabama, 1975, which relates to the powers of the USS Alabama Battleship Commission, so as to authorize the Commission to lease certain of its lands in furtherance of the purposes for which the Commission was organized.

was read a third time at length and passed.

Yeas 18; Nays 0.

Yeas:

Senators:	Covington	Foshee	Manley	
Barron	deGraffenried	Goodwin	Menton	
Bedsole	Denton	Hale	Mitchem	
Cabaniss	Dial	Hand	Smith (J)	
Campbell	Figures	Langford		—18

<i>Nays:</i>				—0
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MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 103. To adopt and incorporate into the Code of Alabama 1975 those general and permanent laws of the state enacted during the 1987 Regular Session of the Legislature, as contained in the 1987 Cumulative Supplement to certain volumes of the Code and in the 1987 Replacement Volumes 7, 7A and 13 of the Code; to make corrections in certain volumes of such cumulative supplement and replacement volume 13; and to reorganize Article 5, Chapter 12, Title 13A, and Chapter 2, Title 20, as appearing in Volumes 12 and 14, respectively, of such cumulative supplement, so as to place the principal drug crime statutes in Title 13A, the Alabama Criminal Code.

Also:

S. 210. To amend Sections 36-27A-1 and 36-27A-5, Code of Alabama 1975, so as to allow public officials or employees of the State of Alabama, or any political subdivision thereof, to participate in the Public Employees' Individual Retirement Account Fund and to provide for additional non-deductible contributions.

JOHN W. PEMBERTON,
Clerk.

BILLS ON THIRD READING RESUMED

THE BILL:

H. 16. To amend Section 37-1-47 of the Code of Alabama 1975, relating to Public Service Commission intervention in certain federal proceedings, so as to provide further for participation in federal proceedings by the Public Service Commission.

was taken up.

The Standing Committee on Commerce, Transportation, and Utilities reported the following amendment to the Bill, H. B. 16, to-wit:

AMENDMENT TO H. B. 16

Amend H. B. 16 on Page 1, line 40 by adding at the end of that section after the word "Alabama." the following:

"Nothing in this section shall be deemed to permit such intervention, initiation, or participation in any litigation, hearings, or proceedings involving municipal utilities, cooperatives, electric membership corporations, and other similar membership corporations, including specifically, but not by way of limitation, those such entities referred to in chapters 50 and 50A of Title 11, chapters 6 and 7 of Title 37, and chapter 7 of Title 39, Code of Alabama 1975, as amended."

Which was adopted.

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Yeas 18; Nays 0.

Yeas:

Senators:	deGraffenried	Foshee	Menton	
Barron	Denton	Goodwin	Mitchem	
Bishop	Dial	Hale	Parsons	
Campbell	Dixon	Langford	Smith (J)	
Corbett	Figures	Manley		—18

Nays: —0

And said Bill, H. B. 16, as thus amended, was read a third time at length and passed.

Yeas 19; Nays 0.

Yeas:

Senators:	Cabaniss	Dial	Langford	
Barron	Campbell	Figures	Manley	
Bedford	Corbett	Foshee	Menton	
Bennett	deGraffenried	Goodwin	Mitchem	
Bishop	Denton	Hale	Smith (J)	—19

Nays: —0

**REPORT OF COMMITTEE ON CONFERENCE
ON S. B. 24**

We, the Committee of Conference appointed to reconcile the differences between the two Houses concerning Senate Bill 24, have met and considered the matter referred and beg leave to report as follows:

Said Conference Committee recommends that the Senate concur with the bill as substituted and amended by the House.

Conferees on part of the Senate,
LOWELL BARRON,
FOY COVINGTON,
CRUM FOSHEE.

Conferees on part of the House,
CHARLIE BRITNELL,
STEVE LOGAN,
BEN RICHARDSON.

CONFERENCE SUBSTITUTE FOR S. B. 24

**A BILL
TO BE ENTITLED
AN ACT**

To create and provide for the incorporation, organization and operation of the Alabama water system assistance authority; to prescribe the powers and functions of the said authority as a public corporation; to authorize the authority to make loans or grants to public water systems and to issue bonds; to establish a special "water supply assistance fund"; to provide for a legislative oversight committee to monitor such authority; to provide that the revenues accruing to the Alabama water system assistance authority from

bonds issued by such authority shall be deposited in a certain fund to be operated by the state treasury; and to provide for state assistance to and cooperation with community water systems in financing projects that would focus on locating, developing and sustaining adequate potable water supplies for the citizens of this state.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The following words and phrases, whenever used in this act, shall have the following respective meanings unless the context clearly indicates otherwise:

(1) **AUTHORITY.** The corporation organized pursuant to the provisions of this act as a public corporation, agency and instrumentality of the state and known as the "Alabama water system assistance authority."

(2) **AUTHORIZING RESOLUTION.** A resolution or order adopted by the board of directors of the authority authorizing the issuance of bonds by the authority pursuant to this act.

(3) **BOARD OF DIRECTORS.** The board of directors of the Alabama water system assistance authority.

(4) **BONDS.** The "water system assistance bonds," notes or obligations or other evidences of indebtedness issued by the authority under the provisions of this act.

(5) **BOND PROCEEDS.** The direct proceeds of sale of bonds or notes, and the income derived from the investment of such proceeds.

(6) **COMMUNITY WATER SYSTEM.** A public water system as defined in Section 22-23-31(12) of the Code of Alabama 1975.

(7) **DEPARTMENT.** The department of economic and community affairs or any successor.

(8) **PROJECT(S).** Research and development, site purchase and preparation, initial construction, expansion or renovation of water supply facilities.

Section 2. It is the intent of the legislature acting by and through the authority and the department to aid, assist and coordinate existing community water systems in locating, developing and sustaining adequate potable water supplies for the citizens of this state and to this end to authorize the incorporation of a state authority with power and authority to issue water system assistance bonds, as may be necessary, from time to time, to finance community water system projects.

Section 3. The governor, the director of the department of economic and community affairs, the director of finance, one member of the House of Representatives appointed by the Speaker, and one member of the Senate appointed by the Lieutenant Governor may become a public corporation to be known as the Alabama water system assistance authority with the power and authority hereinafter provided, by proceeding according to the provisions of this act. Provided, however, that actions taken by such authority shall be monitored, from time to time, by a special "Water assistance legislative oversight committee" composed of three members of the House of Representatives appointed by the Speaker of the House and three senators appointed by the Lieutenant Governor. Members of the legislature serving on this oversight committee shall be entitled to their regular legislative per diem and travel expenses on such committee's meeting days. The Lieutenant

Governor shall appoint a chairperson for such committee and the Speaker of the House shall appoint the vice-chairperson. Such committee shall meet, from time to time, on request of either the chairperson or the authority. The Lieutenant Governor and the Speaker of the House shall make the appointments to the authority and the Water assistance legislative oversight committee within fifteen days of the effective date of this act.

Section 4. There is hereby established a special fund within the state treasury to be known as the "water supply assistance fund." Proceeds from the sale of bonds issued by the authority shall be deposited in this special "water supply assistance fund." Money in such fund shall be expended in accordance with adopted regulations and policies of the authority and may be used to provide a loan or loans for community water system supply projects or to refinance debt of community water systems or to secure principal and interest on bonds issued by the authority. Money not currently needed for the operation of the water supply assistance fund may be invested, from time to time, by the board and all interest earned on such investments shall be credited to the water supply assistance fund.

Section 5. (a) To become a corporation, the governor, the director of the department, the director of finance, and the two legislators appointed to the authority in Section 3 of this Act shall present to the secretary of state of Alabama an application signed by them which shall set forth:

(1) The name, official designation and official residence of each of the applicants, together with a certified copy of the commission evidencing each applicant's right to office;

(2) The date on which each applicant was inducted into office and the term of office of each of the applicants;

(3) The name of the proposed corporation, which shall be the "Alabama water system assistance authority";

(4) The location of the principal office of the proposed corporation; and

(5) Any other matter relating to the incorporation which the applicants may choose to insert and which is not inconsistent with this act or any other laws of the state. The application shall be subscribed and sworn to by each of the applicants before an officer authorized by the laws of this state to take acknowledgments to deeds. The secretary of state shall examine the application; and if he finds that it substantially complies with the requirements of this section, he shall receive and file it and record it in an appropriate book of records in his office.

When the application has been made, filed and recorded as herein provided, the applicants shall constitute a corporation under the name proposed in the application, and the secretary of state shall make and issue to the applicants a certificate of incorporation pursuant to this act, under the great seal of the state, and shall record the certificate with the application. There shall be no fees paid to the secretary of state for any work done in connection with the incorporation or dissolution of the authority.

(b) The applicants named in the application and their respective successors in office shall constitute the members of the authority. The governor shall be the president of the authority, the director of the department shall be the vice-president thereof, and the director of finance shall be the secretary thereof. The members of the authority shall constitute all the members of the board of directors of the authority, and any three members of the said

board of directors shall constitute a quorum for the transaction of business. Should any person holding any state office named in this section cease to hold such office by reasons of death, resignation, expiration of his term of office or for any other reasons, then his successor in office shall take his place as a member, officer or director of the authority. No member, officer or director of the authority shall draw any salary, in addition to that now authorized by law, for any service he may render or for any duty he may perform in connection with the authority.

(c) All proceedings had and done by the board of directors shall be reduced to writing by the secretary of the authority, shall be signed by at least three members of the authority and shall be recorded in a substantially bound book and filed in the office of the secretary. Copies of such proceedings, when certified by the secretary of the authority, under the seal of the authority, shall be received in all courts as prima facie evidence of the matters and things therein certified.

Section 6. (a) The authority shall have the following powers, among others specified by this act:

(1) To have succession in its corporate name until the principal of and interest on all bonds issued by it shall have been fully paid;

(2) To sue and be sued and to prosecute and defend, at law and in equity, in any court having jurisdiction of the subject matter and of the parties thereto;

(3) To have and to use a corporate seal and to alter such seal at pleasure;

(4) To establish a fiscal year;

(5) To construct and operate or lease to or from any community water system;

(6) To execute agreements effectively obligating the authority to agree to pay and to pay such portion of the estimated reasonable cost of the project of each community water system as may be required to meet the water supply goals of the state;

(7) To issue bonds or other obligations provided such proceeds are deposited in a special "water supply assistance fund" within the state treasury;

(8) To enter into such agreements in connection with the sale of its bonds or grants by the board shall determine, including arrangements for letters of credit, bond insurance or other credit enhancement devices, provided that no such arrangement shall obligate funds of the authority other than as provided in this act;

(9) To appoint and employ such attorneys, financial advisors, agents and employees as the business of the authority may require; and

(10) To promulgate and establish guidelines and procedures relating to loans or grants by the authority including but not necessarily limited to limits on the amounts of such loans or grants and eligibility requirements for such loans or grants.

(b) The authority shall use accounting, audit, and fiscal procedures conforming to generally accepted government accounting standards.

(c) The governor shall deliver an annual report of the authority to the legislature.

Section 7. For the purpose of providing funds for the authority to make loans to community water systems for a project or projects, or to refinance debt of community water systems or for the payment of obligations incurred or temporary loans made for any of said purposes, the authority is hereby authorized, from time to time, to issue and sell its bonds or other evidences of indebtedness. Such bonds may be issued in one or more series; shall be in such form and denominations and of such terms and maturities, not exceeding 35 years from the date of issue of each series; shall bear such rate or rates of interest, payable and evidenced in such manner; may contain such provisions for registration or for redemption prior to maturity; and may contain such other provisions not inconsistent herewith, all as may be provided by the authorizing resolution. As security for the payment of the principal of and interest on its bonds, the authority is authorized to pledge, transfer and assign any obligations of each community water system, payable to the authority and the security for such obligation.

Section 8. The bonds and other evidences of indebtedness of the authority may be sold at such time or times as the board of directors may deem advantageous. The bonds shall be sold by competitive sale unless because of market conditions and/or credit structures such a sale would be disadvantageous to the state. In the event such a determination is made by the board of directors, the bonds shall be sold through a negotiated sale and the managing underwriter(s) shall be selected based on criteria, which shall include but not be limited to, experience, ability, responsiveness, and fee structure. Said criteria shall be established by the board of directors and shall be included in a request for proposals for the managing underwriter(s). Bonds sold at public sale shall be awarded to the bidder whose bid reflects the lowest true interest cost to the authority for the bonds being sold, computed to their respective absolute maturities; provided, that if no bid acceptable to the authority is received, it may reject all bids and readvertise. Notice of any public sale shall be given by such publication or by such distribution of notices of sale or both, as the board of directors may determine subject to state law. The authority may pay from the proceeds of the sale of its bonds all expenses, including publication and printing charges, attorney's fees, financial advisory fees, and other expenses which the board of directors may deem necessary or advantageous in connection with the authorization, advertisement, sale, execution and issuance thereof.

Section 9. In anticipation of the issuance of bonds, the authority may borrow such sums as may be needed for any of the aforesaid purposes and to obligate itself by certificate or promissory note, bearing interest at a rate or rates to be specified by the authority, and maturing within 18 months from the date of such certificate or promissory note. Such certificates or promissory notes shall be payable solely from the proceeds of the bonds of the authority and from the funds from which such bonds are payable. In the event that authority funds are not available for a loan for a project when application is made, in order to accelerate the completion of any project, a community water system may, with the approval of the authority, obligate such community water system to provide local funds to pay that portion of the cost of the project which the authority will make available by loan, and the authority shall refund the amount expended on its behalf by such water system.

Section 10. The authority may, from time to time, issue and sell its refunding bonds for the purpose of refunding any matured or unmatured bonds of the authority at the time outstanding and any premiums necessary to be paid to redeem any bonds so to be refunded. The holders of such

refunding bonds shall be subrogated and entitled to all priorities, rights and pledges to which the bonds refunded thereby were entitled.

Section 11. (a) In order to provide for the funding of the loan by the authority for a project to a community water system, such water system shall establish a dedicated source of revenue to repay the monies received from the authority and to provide for operation, maintenance and equipment replacement expenses. Such water system is hereby authorized and empowered, any existing statute to the contrary notwithstanding, to do and perform any one or more of the following:

(1) To obligate itself to pay to the authority at periodic intervals a sum sufficient to provide bond debt service with respect to the bonds of the authority issued to fund the loan for such project and to pay over such debt service to the account of the project for deposit to the water supply assistance fund;

(2) To levy, collect and pay over to the authority and to obligate itself to continue to levy, collect and pay over to the authority the proceeds of any one or more of the following:

a. Any water supply service fee or charge; and

b. Other revenue available to the community water system;

(3) To undertake and obligate itself to pay its contractual obligation to the authority solely from the proceeds from any one or more of the sources specified in subdivision (2) above, or to impose upon, itself a general obligation pledge, if appropriate, to the authority additionally secured by a pledge of any one or more of such sources;

(4) To obligate itself to continue to levy and collect such revenues, fees and charges as shall equal not less than 110 percent nor more than 125 percent, as determined by the authority of the maximum principal and interest maturing and coming due in any one year on the bonds issued by the authority to fund a loan for the project; and

(5) To enter into such agreements, to perform such acts and to delegate such functions and duties as its governing body shall determine to be necessary or desirable to enable the authority to fund a loan to the community water system to aid it in the construction or acquisition of a project.

(b) In the event of default, the authority may utilize all available remedies under state law.

(c) All loans made by the authority shall provide that repayment of such loans shall be made in accordance with guidelines for such repayment made by the authority.

(d) The recipients of loans shall maintain project accounts in accordance with generally accepted government accounting standards.

Section 12. The state treasurer may invest any idle or surplus moneys of the state in bonds of the authority. The governing body of any county or municipality is authorized in its discretion to invest any idle or surplus money held in its treasury in bonds of the authority. Such bonds shall be legal investments for executors, administrators, trustees and other fiduciaries, unless otherwise directed by the court having jurisdiction of the fiduciary relation or by the document that is the source of the fiduciary's authority,

and for savings banks and insurance companies organized under the laws of the state.

Section 13. All bonds or other indebtedness of the authority and the coupons applicable thereto and the income therefrom and all projects or parts thereof and all assets of the authority shall be forever exempt from any and all taxation in the state.

Section 14. All securities issued by the authority shall be exempt from the laws of the state governing usury or prescribing or limiting interest rates, including, but without limitation, the provisions of chapter 8 of Title 8, Code of Alabama 1975.

Section 15. This act is intended to aid the state through the furtherance of its purposes by providing an appropriate and independent instrumentality of the state with full and adequate powers to fulfill its functions. Except as expressly provided in this act, no proceeding, notice or approval shall be required for the incorporation of the authority, the purchase of any loans or the making of any loan to a community water system, the issuance of any bonds, or the exercise of any other of its powers by the authority.

Section 16. All bonds issued by the authority, while registered, shall be construed to be negotiable instruments even though they are payable from a limited source. All coupons applicable to any bonds issued by the authority, while the applicable bonds are registered as to both principal and interest, shall likewise be construed to be negotiable instruments although payable from a limited source.

Section 17. All bonds, notes and certificates issued by the authority shall be solely and exclusively obligations of the authority, payable solely from the revenues, income, fees or charges which may pursuant to the provisions of this act, be pledged to the payment thereof, and no such bonds, notes or certificates shall create an obligation or debt of the state. Provided, however, that an agreement by the authority to make a loan to a community water system for a project shall impose an obligation on the state to make such loan from any funds which are then or may thereafter become available regardless of the funding of the loan by the community water system and subject only to any terms and conditions set forth in such agreement.

Section 18. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 19. All laws or parts of laws which conflict with this act are hereby repealed.

Section 20. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Also:

Amend Senate Bill 24 as substituted on Page 2, line 32, following the word "projects." by inserting the following words Further it is the intent of the legislature that community water systems shall not be required to participate in programs authorized by this act.

Further amend Senate Bill 24 as substituted on Page 9, line 11, by inserting the word only between the word "repay" and the word "the".

Further amend Senate Bill 24 as substituted on Page 11 by striking the language beginning with the word "Provided" on line 27 and ending with the word "agreement." on line 32.

Also:

Amend S. B. 24 as substituted, on page 9, line 31, after the semi-colon by adding the following language:

provided, however, that all members of said community water system shall be notified of the proposed contract with the authority, specifically stating the obligations and pledge of revenue and other terms and conditions of said contract, and provided further that a formal meeting of the community water system be held and a vote be taken prior to the final agreement with the authority being made;

CONFERENCE REPORT

On motion of Senator Barron, the Senate concurred in and adopted the foregoing Report of the Committee on Conference appointed to reconcile the differences of the two Houses on the House amendment to the Bill:

S. 24. To create and provide for the incorporation, organization and operation of the Alabama water system assistance authority; to prescribe the powers and functions of the said authority as a public corporation; to authorize the authority to make loans or grants to public water systems and to issue bonds; to establish a special "water supply assistance fund"; to provide for a legislative oversight committee to monitor such authority; to provide that the revenues accruing to the Alabama water system assistance authority from bonds issued by such authority shall be deposited in a certain fund to be operated by the state treasury; and to provide for state assistance to and cooperation with community water systems in financing projects that would focus on locating, developing and sustaining adequate potable water supplies for the citizens of this state.

Yeas 19; Nays 0.

Yeas:

Senators:	Corbett	Figures	Langford	
Barron	Covington	Foshee	Manley	
Bennett	deGraffenried	Goodwin	Menton	
Bishop	Denton	Hale	Mitchem	
Campbell	Dial	Holmes	Smith (J)	—19

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 196. To amend section 29-2-41, Code of Alabama 1975, which relates to the Contract Review Permanent Legislative Oversight Committee, so as to provide further for the committee's authority to review state contracts.

JOHN W. PEMBERTON,
Clerk.

BILLS ON THIRD READING RESUMED

THE BILL:

H. 61. To amend the Alabama Trademark Act to include the registrability of business tradenames thereby creating an "Alabama Trademark and Tradename Act" by amending sections 8-12-6, 8-12-7, 8-12-8, 8-12-9, 8-12-14, 8-12-16, and 8-12-17 of the Code of Alabama 1975. Further to provide for transition provisions for existing trademarks and an effective date of January 1, 1989.

was read a third time at length and passed.

Yeas 20; Nays 0.

Yeas:

Senators:	deGraffenried	Foshee	Langford	
Bedford	Denton	Goodwin	Manley	
Bennett	Dial	Hale	Menton	
Cabaniss	Dixon	Hand	Mitchem	
Campbell	Figures	Holmes	Smith (J)	
Corbett				—20

Nays: —0

THE BILL:

H. 221. To provide further for the revision of the guardianship laws of this state by amending Sections 1-106, 1-107, 2-104, 2-309, and 2-313 of the Alabama Uniform Guardianship and Protective Proceedings Act, Act No. 87-590, H. 233, which sections appear respectively as sections 26-2A-6, 26-2A-7, 26-2A-73, 26-2A-138, 26-2A-142, and 26-2A-8 of the Code of Alabama 1975.

was read a third time at length and passed.

Yeas 19; Nays 0.

Yeas:

Senators:	Cabaniss	Dial	Langford	
Bedford	Campbell	Figures	Manley	
Bedsole	Corbett	Goodwin	Menton	
Bennett	Covington	Hale	Mitchem	
Bishop	deGraffenried	Hand	Smith (J)	—19

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Breedlove:

H. J. R. 142. COMMENDING LILLIAN PUGH ANDREWS FOR DISTINGUISHED SERVICE AND ACHIEVEMENT.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Manley, the Rules were suspended and the Resolution, H. J. R. 142, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

RECESS

At 4:40 P.M., on motion of Senator Manley, the Senate took a recess subject to the call of the Chair.

NIGHT SESSION
TWELFTH LEGISLATIVE DAY
SEPTEMBER 22, 1988

At 8:40 P.M., the Senate reassembled in the Senate Chamber, Lieutenant Governor Folsom presiding.

ROLL CALL

Present:

Senators:	Campbell	Figures	Manley	
Amari	Corbett	Foshee	Menton	
Bailey	Covington	Goodwin	Mitchem	
Barron	deGraffenried	Hale	Parsons	
Bedford	Denton	Hand	Preuitt	
Bedsole	Dial	Hilliard	Rice	
Bennett	Dixon	Holmes	Sanders	
Bishop	Drinkard	Horn	Smith (B)	
Cabaniss	Ellis	Langford	Smith (J)	—35

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bill with the original Senate Bill, and finds same correctly enrolled, to-wit:

S. 196. To amend section 29-2-41, Code of Alabama 1975, which relates to the Contract Review Permanent Legislative Oversight Committee, so as to provide further for the committee's authority to review state contracts.

BILL DRINKARD,
Chairperson.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing report from the Committee on Rules.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 103. To adopt and incorporate into the Code of Alabama 1975 those general and permanent laws of the state enacted during the 1987 Regular Session of the Legislature, as contained in the 1987 Cumulative Supplement to certain volumes of the Code and in the 1987 Replacement Volumes 7,

7A and 13 of the Code; to make corrections in certain volumes of such cumulative supplement and replacement volume 13; and to reorganize Article 5, Chapter 12, Title 13A, and Chapter 2, Title 20, as appearing in Volumes 12 and 14, respectively, of such cumulative supplement, so as to place the principal drug crime statutes in Title 13A, the Alabama Criminal Code.

Also:

S. 210. To amend Sections 36-27A-1 and 36-27A-5, Code of Alabama 1975, so as to allow public officials or employees of the State of Alabama, or any political subdivision thereof, to participate in the Public Employees' Individual Retirement Account Fund and to provide for additional non-deductible contributions.

BILL DRINKARD,
Chairperson.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing report from the Committee on Rules.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 51. To amend §16-8-3 and §16-8-4, Code of Alabama, 1975, relating to the scheduling of regular meetings and annual public meetings of county boards of education.

Also:

S. 99. To provide for the establishment of a fund from which survivor allowances for spouses of deceased district or supernumerary district attorneys shall be paid; to provide requirements for eligibility for receipt of such benefits; to provide funding for the proper operations and maintenance of such fund; and to provide for the management of such fund.

Also:

S. 128. To provide for the appointment of a chief deputy tax collector by the elected Jefferson County tax collector and to provide for compensation, funding and qualifications of said chief deputy.

Also:

S. 137. To amend Act No. 1272 of the Regular Session of the Legislature of Alabama of 1973, approved September 18, 1973, as amended, to provide for the participation of the unclassified employees of the City of Birmingham in the retirement and relief system of the City of Birmingham and to provide for related matters.

Also:

S. 138. To amend Act No. 929, 1951 Regular Session (General Acts of 1951, p. 1579), as amended by Act No. 1272, 1973 Regular Session (Acts 1973, p. 2124), and as previously and subsequently amended, which created a retirement system for officers and employees in cities of two hundred thousand or more inhabitants according to the latest federal decennial census, so as to provide further for the payments of benefits during periods of re-employment.

Also:

S. 139. To amend Act No. 453 of the 1967 Regular Session of the Legislature of Alabama, (1967 Acts of Alabama, page 1129), as amended by Act No. 393 of the 1975 Regular Session of the Legislature of Alabama, said acts providing a pension and relief fund for officers and employees of the library board of any city having a population of three hundred thousand or more according to the last and any subsequent federal census, said act applicable to the officers and employees of the Birmingham Public Library System, to provide for the participation of the employees of the library board who are currently entitled to participate in the unclassified pension relief plan of the City of Birmingham to participate in the Birmingham Library Board Employees Pension and Relief Fund and to provide for related matters.

Also:

S. 140. To amend section 11-52-32 of the Code of Alabama 1975 relating to planning, zoning and subdivisions, so as to provide further for the planning commissions of Class 1 municipalities to elect no less than three and no more than five of the members thereof to serve as a committee to approve or disapprove any plat presented to such commission.

Also:

S. 151. To amend Sections 16-6A-12 and 16-6A-13, Code of Alabama 1975, which provide for the Educational Reform Act of 1984, so as to provide further for eligibility for and repayment of scholarship loans for teacher education programs in critical needs areas.

Also:

S. 165. To amend Sections 34-33-1, 34-33-2, 34-33-3, 34-33-4, 34-33-5, 34-33-6 and 34-33-10 of the Code of Alabama 1975, relating to fire protection sprinkler systems, so as to redefine such systems and to further regulate the fire protection sprinkler system business in this state.

Also:

S. 193. To amend the Alabama Trademark Act to include the registrability of business trade names thereby creating an "Alabama Trademark and Trade Name Act" by amending sections 8-12-6, 8-12-7, 8-12-8, 8-12-9, 8-12-14, 8-12-16, and 8-12-17 of the Code of Alabama 1975; to provide for transition of existing trademarks; and to provide for an effective date of January 1, 1989.

BILL DRINKARD,
Chairperson.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of

a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing report from the Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 126. To amend Section 22-27-5, Code of Alabama 1975, as amended, relating to solid waste disposal fees, permits and bonds, so as to prescribe certain minimum surety bond requirements for out-of-state shippers of household garbage, in order to protect the health, safety and welfare of the citizens of this state.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Report of the Committee on Conference appointed to reconcile the disagreement of the two Houses on the House amendment to the Bill:

S. 24. To create and provide for the incorporation, organization and operation of the Alabama water system assistance authority; to prescribe the powers and functions of the said authority as a public corporation; to authorize the authority to make loans or grants to public water systems and to issue bonds; to establish a special "water supply assistance fund"; to provide for a legislative oversight committee to monitor such authority; to provide that the revenues accruing to the Alabama water system assistance authority from bonds issued by such authority shall be deposited in a certain fund to be operated by the state treasury; and to provide for state assistance to and cooperation with community water systems in financing projects that would focus on locating, developing and sustaining adequate potable water supplies for the citizens of this state.

And said Bill, S. B. 24 as thus amended by the Report of the Committee on Conference was again read and passed.

And said Bill, S. B. 24 together with the Report of the Committee on Conference, is herewith returned to the Senate.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Haynes:

H. J. R. 163. COMMENDING C. J. HALLMARK FOR DISTINGUISHED SERVICE WITH THE TALLADEGA COUNTY SHERIFF'S DEPARTMENT.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Goodwin, the Rules were suspended and the Resolution, H. J. R. 163, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 8. To amend section 13A-6-4, Code of Alabama 1975, to provide that criminally negligent homicide is a Class C felony.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate Bill and returns same herewith to the Senate.

S. 222. Relating to Franklin County; authorizing and providing for the incorporation of the Franklin County Water Coordinating and Fire Prevention Authority, as a public corporation for the purpose of furnishing water service and fire protection facilities; providing that the service area specified in the original certificate of incorporation of such authority shall lie within the boundaries of the county in which it is incorporated, but that the said service area may be extended into one or more other counties by amendment to the certificate of incorporation; providing for and authorizing the certificate of incorporation and by-laws of such authority to be amended at any time and from time to time; providing for the appointment, election and compensation of directors of such authority; providing for the powers, authorities and duties of such authority and its board of directors; providing for the development of a master plan for said authority; authorizing such authority to acquire, construct, operate and improve one or more waterworks plants, water distribution systems or fire protection facilities, or any combination of any thereof; providing for cooperation with existing water systems and any county and city governments and any council of local government; conferring on such authority the power of eminent domain; making provisions respecting the establishment, revision and collection of charges for water service and fire protection facilities or service, or either, rendered by it; authorizing and providing for the assumption by such authority of obligations respecting systems and facilities, or parts thereof, acquired by the authority; providing that contracts entered into by such authority pursuant to this act shall not constitute or create a debt of the state or of any county, municipality

or political subdivision of the state; providing that any county, municipality, other political subdivision, public corporation, or agency or instrumentality of this state may aid and cooperate with, lend or donate money to, perform services for the benefit of, and, without the necessity of an election and with or without consideration, transfer any water system, fire protection facility, or other property to such authority; providing that the rendition by such authority of water service or facilities or of fire protection service or facilities is a governmental function and to exempt such authority from all tort liability in connection with water services or facilities or with fire protection services or facilities; exempting from all taxation in this state such authority, its property, corporate activities, income, revenues, and securities, the income from its securities, conveyances, leases, and mortgages and deeds of trust to which such authority is a party, and exempting such authority from payment of certain charges to judges of probate; exempting the authority and the contracts made by it from all competitive bid laws; providing that such authority shall be exempted from regulation and supervision by the public service commission and the state department of finance; providing for the use of public roads in the state by such authority; providing for the dissolution of such authority and the disposition of its property; providing that any public corporation may convey its assets, with or without pecuniary consideration, to such authority; providing for auditing; and providing that funds of said authority may be used to aid in applying for available grants.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Bedford, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 222, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE AMENDMENT TO S. B. 222

Amend S. 222 as follows:

On page 5, line 22, delete the following language: "for the initial eight years of operation"

On page 12, line 29, delete the word "shall" and insert in lieu thereof the following word:

may

On page 14, lines 26 through 28 delete the following language: "and at its option to provide a system of disability pay, retirement compensation and pensions or any of them"

On page 19, delete subsection (g) on lines 11 through 17 in its entirety.

On page 24, delete lines 28 through 34 in their entirety and on page 25, delete lines 1 through 3 in their entirety.

Yeas 25; Nays 0.

Yeas:

Senators:	Campbell	Goodwin	Langford
Amari	deGraffenried	Hale	Manley
Bailey	Denton	Hand	Menton
Bedford	Dial	Hilliard	Preuitt
Bennett	Dixon	Holmes	Rice
Bishop	Figures	Horn	Sanders
Cabaniss	Foshee		

—25

Nays:

—0

FURTHER CONSIDERATION OF H. B. 27

The Senate proceeded to further consideration of the Bill, H. B. 27. The question was on the substitute offered by Senator Horn.

Senator Holmes offered the following substitute for the Horn substitute for the Bill, H. B. 27, to-wit:

SUBSTITUTE FOR SUBSTITUTE FOR H. B. 27

A BILL TO BE ENTITLED AN ACT

To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, for other functions of government, for interest on the public debt, and for capital outlay for the fiscal year ending September 30, 1989.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

SECTION 1. The monies in Section 2 are appropriated from the named funds for the 1988-89 fiscal year to the state agency indicated, as the amounts to be used to pay the expenditures of the named agencies, and are in lieu of all monies appropriated for these purposes in other sections of the Alabama Statutes.

For the purpose of this Act, the amounts herein for expenditures are listed by programmatic area and the totals for all programs are shown by the source of funds. It is intended that only the named funds be appropriated to the agency concerned; and that the following definitions shall be applicable:

(a) "Appropriation Total" shall mean the aggregate total of all fund sources.

(b) "Program" shall mean specific governmental services required to achieve a specific objective. A program shall be directed to meeting the need of an identified clientele, or group of recipients or beneficiaries.

(c) "Capital Outlay" shall mean expenditures which result in the acquisition and/or addition to items, such as land or buildings, which have an appreciable and calculable period of usefulness in excess of one year, and shall be expended only for such purposes.

(d) "Debt Service" shall mean an expenditure for the payment of interest and principal on all bonded debt obligations of the State, and shall be expended only for such purposes.

(e) "ASETF" shall mean the Alabama Special Educational Trust Fund.

SECTION 2. There is hereby appropriated for the ordinary expenses of the executive, legislative, and judicial departments of the State, for other functions of government, for the principal and interest on the public debt, and for capital outlay for the fiscal year ending September 30, 1989, to be paid out of any monies hereinafter specified, from such other funds and accounts as may be designated, or so much thereof as may be necessary, and the total amount to be expended for the items for which the appropriation is herein made shall not exceed the amount provided therefor, except as provided in the Budget Management Act of 1976, Sections 41-19-1 through 12, Code of Alabama 1975. Provided, however, that regardless of the ending date of any pay period which has been or may be established by the Legislature for the payment of salaries of state employees, the entire payment due shall be made from the fiscal year's appropriation in which the pay date falls.

Fund Sources Included In Appropriation Total		Appropriation Total
General Fund	Trust Fund	

2A. LEGISLATIVE:

1. EXAMINERS OF PUBLIC ACCOUNTS, DEPARTMENT OF:

(a) Legislative Support-Audit Services Program	7,925,687
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SOURCE OF FUNDS:

(1) State General Fund	7,725,687	
(2) Federal Funds		200,000

Total Department of Exam- iners of Public Accounts	7,725,687	200,000	7,925,687
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2. LAW INSTITUTE, ALABAMA:

(a) Support of Other Educational Activities Program	295,122
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SOURCE OF FUNDS:

(1) State General Fund	295,122
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Total Alabama Law Institute	295,122	295,122
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3. LEGISLATIVE COUNCIL:

(a) Legislative Operations and Support Program	205,000
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SOURCE OF FUNDS:

(1) State General Fund	205,000
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Pursuant to Section 29-6-
1 et seq., Code of Alabama
1975.

Total Legislative Council	205,000	205,000
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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
4.	LEGISLATIVE FISCAL OFFICE:			
	(a) Legislative Operations and Support Program (to include program review and evaluation)			948,809
	SOURCE OF FUNDS:			
	(1) State General Fund	948,809		
	Total Legislative Fiscal Office	948,809		948,809
5.	LEGISLATIVE REFERENCE SERVICE:			
	(a) Legislative Operations and Support Program			1,094,243
	SOURCE OF FUNDS:			
	(1) State General Fund	1,094,243		
	Total Legislative Reference Service	1,094,243		1,094,243
6.	LEGISLATURE:			
	(a) Legislative Operations and Support Program			8,500,000
	It is the intent of the Legisla- ture that (1) the above appro- priation shall include funds for the necessary technical ex- penses associated with reap- portionment, (2) that at least \$50,000 shall be allocated for the Senate Finance and Taxa- tion Committee, the Office of the Senate Pro Tempore and the Senate Rules Committee, and (3) that at least \$50,000 shall be allocated for the Ways and Means Committee, the House Rules Committee and the office of the Speaker of the House.			
	The appropriation to the Leg- islature shall be expended un- der the provisions set forth in Section 29-1-22, <u>Code of Ala- bama 1975</u> .			
	SOURCE OF FUNDS:			
	(1) State General Fund	8,500,000		

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
Total Legislature		8,500,000		8,500,000
7. LEGISLATURES, NATIONAL CONFERENCE OF STATE:				
(a) Legislative Operations and Support Program				68,581
SOURCE OF FUNDS:				
(1) State General Fund		68,581		
Total National Conference of State Legislatures		68,581		68,581
2B. JUDICIAL:				
1. COURT OF CIVIL APPEALS:				
(a) Court Operations Program				1,077,236
SOURCE OF FUNDS:				
(1) State General Fund		1,077,236		
Total Court of Civil Appeals ..		1,077,236		1,077,236
2. COURT OF CRIMINAL APPEALS:				
(a) Court Operations Program				1,641,488
SOURCE OF FUNDS:				
(1) State General Fund		1,641,488		
Total Court of Criminal Appeals		1,641,488		1,641,488
3. JUDICIAL INQUIRY COMMISSION:				
(a) Administrative Services Program				90,929
SOURCE OF FUNDS:				
(1) State General Fund		90,929		
Total Judicial Inquiry Commission		90,929		90,929
4. JUDICIAL RETIREMENT FUND:				
(a) Retirement Systems Program				1,452,000
SOURCE OF FUNDS:				
(1) State General Fund		1,452,000		
Total Judicial Retirement Fund		1,452,000		1,452,000

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
5.	SUPREME COURT:			
	(a) Court Operations Program			4,245,300
	SOURCE OF FUNDS:			
	(1) State General Fund	4,245,300		
	Total Supreme Court	4,245,300		4,245,300
6.	UNIFIED JUDICIAL SYSTEM:			
	(Administrative Office of Courts)			
	(a) Court Operations Program			55,676,976
	(b) Administrative Services Program			3,200,000
	(c) DUI Referral Program			100,000
	(d) Fringe Benefit Program, Estimated			300,000
	SOURCE OF FUNDS:			
	(1) State General Fund	58,976,976		
	(2) State General Fund-Social Security-County Judicial, Estimated	300,000		
	Total Unified Judicial System	59,276,976		59,276,976
2C.	EXECUTIVE:			
1.	ACADEMY OF HONOR, ALABAMA:			
	(a) Historical Resources Manage- ment Program			1,784
	SOURCE OF FUNDS:			
	(1) State General Fund	1,784		
	As provided in Section 41- 11-6, <u>Code of Alabama</u> <u>1975</u> , and an additional amount.			
	Total Alabama Academy of Honor	1,784		1,784
2.	ACCOUNTANCY, ALABAMA STATE BOARD OF PUBLIC:			
	(a) Professional and Occupational Licensing and Regulation Program			341,699
	SOURCE OF FUNDS:			
	(1) Alabama State Board of Public Accountancy Fund		341,699	
	As provided in Section 34- 1-22, <u>Code of Alabama</u>			

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
1975. In addition to the amounts appropriated hereinabove to the State Board of Public Accountancy, there is hereby appropriated such an amount as may be necessary to pay the refund of any application for license which may have been rejected by the Board or withdrawn by request of applicant.				
Total Alabama State Board of Public Accountancy			341,699	341,699
3.	ADJUSTMENT, BOARD OF:			
(a)	Special Services Program			310,000
SOURCE OF FUNDS:				
(1)	State General Fund	11,200		
For the State General Fund Contribution to the total expenditure of \$750,000 pursuant to Section 41-9-73, <u>Code of Alabama 1975</u> .				
(2)	State General Fund	287,600		
For expenditures as provided in Section 31-3-2 and Section 36-30-2, <u>Code of Alabama 1975</u> .				
(3)	State General Fund - Administrative Costs	11,200		
Total Board of Adjustment		310,000		310,000
4.	AERONAUTICS, DEPARTMENT OF:			
(a)	Airport Development and Aeronautical Support Program			867,986
SOURCE OF FUNDS:				
(1)	Airport Development Fund		867,986	
As provided by Section 4-2-42, <u>Code of Alabama 1975</u> .				
Total Department of Aeronautics			867,986	867,986

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
5.	AGING, COMMISSION ON:			
(a)	Planning and Advocacy for the Elderly Program			16,686,225
(b)	Medicaid Waiver Services Program			6,271,024
	SOURCE OF FUNDS:			
(1)	State General Fund - Transfer	1,320,036		
(2)	State General Fund - Transfer Medicaid Waiver	1,694,879		
(3)	Federal, Local and Miscel- laneous Funds		19,942,334	
	Total Commission on Aging ..	3,014,915	19,942,334	22,957,249
	<p>The Commission on Aging shall contract with the existing Regional Planning Commissions or Councils of Local Governments and/or Area Agencies on Aging to provide services for one-third of the State's present and future client slots for the program known as the "Medicaid Waiver Services Program-Home-and Community-Based Waiver for the Elderly and Disabled".</p>			
6.	AGRICULTURAL AND CONSERVATION DEVELOPMENT COMMISSION:			
(a)	Water Resource Development Program			2,136,250
	SOURCE OF FUNDS:			
(1)	State General Fund - Transfer	2,066,250		
(2)	Miscellaneous Funds		70,000	
	As provided in Section 9- 8A-4.1, <u>Code of Alabama</u> 1975.			
	Total Agricultural and Conser- vation Development Commission	2,066,250	70,000	2,136,250

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
7.	AGRICULTURAL AND INDUSTRIAL EXHIBIT COMMISSION, ALABAMA:			
(a)	Agricultural Development Services Program			27,218
	SOURCE OF FUNDS:			
(1)	State General Fund	27,218		
	Total Alabama Agricultural and Industrial Exhibit Commission	27,218		27,218
8.	AGRICULTURAL CENTER BOARD:			
(a)	Agricultural Development Services Program			709,749
	SOURCE OF FUNDS:			
(1)	State General Fund	95,939		
	For expense and awarding of prizes for fairs as pro- vided in Section 2-7-21, Code of Alabama 1975.			
(2)	State General Fund - Transfer-Operations	96,000		
(3)	State General Fund - Transfer-Livestock Coliseum	233,000		
(4)	Livestock Coliseum Fund		284,810	
	Total Agricultural Center Board	424,939	284,810	709,749
9.	AGRICULTURE AND INDUSTRIES, DEPARTMENT OF:			
(a)	Administrative Services Program			1,782,511
(b)	Agricultural Inspection Ser- vices Program			10,553,791
(c)	Laboratory Analysis and Dis- ease Control Program			3,968,608
(d)	Agricultural Development Services Program			3,232,872
	SOURCE OF FUNDS:			
(1)	State General Fund - Transfer	9,225,878		

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
(2)	Federal, Local and Miscellaneous Funds		2,295,904	
(3)	Shipping Point Inspection Fund		4,228,805	
	Pursuant to Sections 2-9-20 et seq., <u>Code of Alabama 1975</u> . All fees and charges collected by the Commissioner of Agriculture and Industries and deposited into said fund, and such appropriation to the Department of Agriculture and Industries shall include all fees and charges collected and deposited therein for Shipping Point Inspection grading and classification services for agricultural products including services furnished for weighing and issuing weight certificates to be used for the sale of agricultural commodities.			
(4)	Agricultural Fund		3,787,195	
	Total Department of Agriculture and Industries	9,225,878	10,311,904	19,537,782
10.	ALABAMA TRUST FUND BOARD:			
(a)	Administrative Program			226,813
	SOURCE OF FUNDS:			
(1)	State General Fund - Transfer	226,813		
	Total Alabama Trust Fund Board	226,813		226,813
11.	ALCOHOLIC BEVERAGE CONTROL BOARD, ALABAMA:			
(a)	Alcoholic Beverage Management Program			21,402,603
(b)	Enforcement Program			5,886,000
(c)	Administrative Services Program			7,091,015
	The appropriation to the Alabama Alcoholic Beverage Control Board shall include a			

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Fund Sources Included In Appropriation Total		
General Fund	Trust Fund	Appropriation <u>Total</u>

transfer to the Department of Mental Health of \$1,000,000 and a transfer to the Department of Human Resources of \$2,000,000.

SOURCE OF FUNDS:

(1) ABC Board Fund	34,379,618
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In addition to the above appropriations herein made, there is hereby appropriated for each additional retail store put into operation during the fiscal year, an amount equal to the sum required to install and operate the last comparable retail store put into operation by said Board provided, however, that the sum appropriated for the operation of retail stores as provided herein shall be reduced in like manner for each retail store closed or withdrawn from operation during the same period. There is further appropriated to the Alabama Alcoholic Beverage Control Board, after provision has been made for the other expenditures herein authorized, such sums as are or may be necessary to purchase the alcoholic beverages which are essential to maintain adequate stocks and inventory for an economic and successful sales operation. In addition to the above appropriation, it is further provided that, in the event any county or municipality of the State shall, during the fiscal period covered by this appropriation by proper referendum, authorize the legal sale of malt and brewed

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
beverages within such county or municipality there is further appropriated, in addition to the amount herein set out, an amount comparable to that expended during the prior fiscal year for beer and license tax supervision within counties or municipalities of similar size and population. Provided, further that the amount appropriated herein shall be reduced in like manner in the event any county or municipality wherein malt and brewed beverages are now authorized by law to be sold shall, during the fiscal period covered by this appropriation by proper referendum, declare unlawful the sale in such county or municipality of such malt or brewed beverages.				
Total Alabama Alcoholic Beverage Control Board			34,379,618	34,379,618
12.	ARCHITECTS, BOARD FOR REGISTRATION OF:			
(a)	Professional and Occupational Licensing and Regulation Program			215,000
SOURCE OF FUNDS:				
(1)	Fund of the Board for Registration of Architects		215,000	
	As provided in Section 34-2-41, <u>Code of Alabama 1975</u> .			
Total Board for Registration of Architects			215,000	215,000
13.	ARCHIVES AND HISTORY, DEPARTMENT OF:			
(a)	Historical Resources Management Program			2,225,074
SOURCE OF FUNDS:				
(1)	State General Fund	2,104,704		

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
(2) Federal Funds			120,370	
Total Department of Archives and History		2,104,704	120,370	2,225,074
14.	ATTORNEY GENERAL, OFFICE OF THE:			
(a)	Legal Advice and Legal Serv- ices Program			6,215,493
(b)	Fair Marketing Practices Program			605,000
SOURCE OF FUNDS:				
(1)	State General Fund - Transfer	5,182,171		
(2)	State General Fund - Transfer - Consumer Protection	550,000		
(3)	Transfer from Depart- ment of Human Resources		404,099	
(4)	Federal, Local and Miscel- laneous Funds		684,223	
Total Office of the Attorney General		5,732,171	1,088,322	6,820,493
15.	AUDITOR, STATE:			
(a)	Fiscal Management Program			811,565
SOURCE OF FUNDS:				
(1)	State General Fund	811,565		
Total State Auditor		811,565		811,565
16.	BANKING DEPARTMENT, STATE:			
(a)	Charter, License and Regulate Financial Institutions Program			2,828,141
SOURCE OF FUNDS:				
(1)	Banking Assessment Fees		2,522,441	
	As provided in Section 5- 2A-20, <u>Code of Alabama</u> <u>1975.</u>			
(2)	Loan Examination Fund As provided in Section 5- 2A-24, Section 5-16-38.1, and Section 5-18-5, <u>Code</u> <u>of Alabama 1975.</u>		305,700	

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
Total State Banking Department			2,828,141	2,828,141
17.	BAR ASSOCIATION, ALABAMA STATE:			
(a)	Professional and Occupational Licensing and Regulation Program			1,321,875
SOURCE OF FUNDS:				
(1)	State Bar Association Fund		1,186,220	
	As provided in Section 34- 3-4 and Section 34-3-44, <u>Code of Alabama 1975.</u>			
(2)	Local Funds, Estimated ...		135,655	
	As provided in Sections 34- 3-44, 34-3-17 and 34-3-18, <u>Code of Alabama 1975.</u>			
Total Alabama State Bar Association			1,321,875	1,321,875
18.	BEAR CREEK DEVELOPMENT AUTHORITY:			
(a)	Water Resource Development Program			42,822
SOURCE OF FUNDS:				
(1)	State General Fund	42,822		
Total Bear Creek Develop- ment Authority		42,822		42,822
19.	BUILDING COMMISSION, STATE:			
(a)	Special Services Program			1,197,016
SOURCE OF FUNDS:				
(1)	State General Fund - Transfer	796,206		
(2)	Federal, Local and Miscel- laneous Funds		400,810	
Total State Building Commission		796,206	400,810	1,197,016
20.	CAHAWBA ADVISORY COMMITTEE:			
(a)	Historical Resources Manage- ment Program			9,550

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
SOURCE OF FUNDS:				
(1) State General Fund	9,550			
Total Cahawba Advisory Committee	9,550			9,550
21. CHILD ABUSE AND NEGLECT PREVENTION BOARD:				
(a) Social Services Program				301,909
In accordance with Sections 26- 16-1 et seq., <u>Code of Alabama</u> 1975.				
SOURCE OF FUNDS:				
(1) State General Fund - Transfer	125,000			
(2) Children's Trust Fund, Estimated			176,909	
Total Child Abuse and Neglect Prevention Board	125,000	176,909		301,909
22. CHIROPRACTIC EXAMINERS, ALABAMA STATE BOARD OF:				
(a) Professional and Occupational Licensing and Regulation Program				75,750
SOURCE OF FUNDS:				
(1) Alabama State Board of Chiropractic Examiner's Fund			75,750	
As provided in Section 34- 24-143, <u>Code of Alabama</u> 1975.				
Total Alabama State Board of Chiropractic Examiners			75,750	75,750
23. CONSERVATION AND NATURAL RESOURCES, DEPARTMENT OF:				
(a) State Land Management Program				805,000
(b) Outdoor Recreation Sites and Services Program				24,828,813
(c) Marine Police Program				3,309,946
(d) Wildlife Game and Fish Program				12,835,500

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	Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
	General Fund	Trust Fund	
(e) Marine Resources Program			2,022,000
(f) Land and Water Conservation Program			1,200,000
(g) Administrative Services Program			3,536,286

The appropriation to the Department of Conservation and Natural Resources shall include Alabama's pro rata share of the Gulf States Marine Fisheries Commission operation expenses. The appropriation to the Department of Conservation and Natural Resources includes funds for the maintenance, staff and repair of the Governor's official beach mansion.

SOURCE OF FUNDS:

(1) State General Fund - Transfer	2,561,700	
(2) Game and Fish Fund		12,835,500
(3) State Lands Fund		760,000

The funds hereinabove appropriated from the State Lands Fund include funds for analyzing, cataloging and monitoring mineral reserves and the development thereof on State lands including water and offshore areas.

(4) Marine Resources Fund	2,022,000	
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In addition to the monies hereinabove appropriated from the Marine Resources Fund, all monies derived from contracts, grants or other agreements concerning or relating to marine biological research performed or accomplished at the Marine Resources Division Laboratory at Dauphin Island is hereby appropriated and may be

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
expended by the Commissioner of Conservation on such Marine Resources Division programs or projects which he deems appropriate.				
(5)	Marine Police Fund		3,309,946	
(6)	State Parks Fund		300,000	
(7)	Parks Revolving Fund ...		21,800,000	
(8)	Administrative Funds ...		2,648,399	
The funds hereinabove appropriated shall be payable as provided in Sections 9-2-1 et seq., <u>Code of Alabama 1975.</u>				
(9)	Cigarette Tax		1,100,000	
(10)	Federal Land and Water Fund		1,200,000	
Total Department of Conservation and Natural Resources		2,561,700	45,975,845	48,537,545
<hr/>				
24.	CONTRACTORS, STATE LICENSING BOARD FOR GENERAL:			
(a)	Professional and Occupational Licensing and Regulation Program			401,122
SOURCE OF FUNDS:				
(1)	State Licensing Board for General Contractors Fund		401,122	
Pursuant to Section 34-8-25, <u>Code of Alabama 1975.</u> In addition to the amounts appropriated hereinabove to the State Licensing Board for General Contractors, there is hereby appropriated such an amount as may be necessary to pay the refund of any application for license which may have been rejected by the Board or application withdrawn by request of applicant.				

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
Total State Licensing Board for General Contractors			401,122	401,122
25. CORRECTIONS, DEPARTMENT OF:				
(a)	Administrative Services and Logistical Support Program ...			8,343,617
(b)	Institutional Services Correc- tions Program			98,599,457
(c)	Correctional Agricultural and Industries Program			19,949,300
The Department of Correc- tions shall not utilize any por- tion of its State General Fund appropriation to support the Correctional Industries Pro- gram, for either the agribusi- ness element or the industries element.				
(d)	Transfer to State General Fund from the Correctional Indus- tries Revolving Fund			1,500,000
Notwithstanding any other law to the contrary and specifically including Section 5 of Act No. 87-715, it is further the intent of the Legislature that in ac- cordance with Section 14-7-20 of the Code of Alabama, 1975, that this transfer be made.				
SOURCE OF FUNDS:				
(1)	State General Fund - Transfer		104,143,074	
(2)	Department of Correc- tions Fund		24,249,300	
The above amount shall include \$1,500,000 to be transferred from the Cor- rectional Industries Re- volving Fund to State General Fund. The Com- missioner of the Depart- ment of Corrections is authorized to utilize funds herein appropriated as matching contributions, where required and appro-				

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Fund Sources Included
In Appropriation Total

General Fund	Trust Fund	Appropriation Total
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prate, to generate additional funds which would effectively increase the appropriations for the Department of Corrections. Any such grant funds so generated and in direct support of the Department of Corrections' operations are also hereby appropriated.

Total Department of Corrections	104,143,074	24,249,300	128,392,374
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In addition to the above appropriation to the Department of Corrections, there is hereby conditionally appropriated from the State General Fund \$2,800,000 for prisons at Clayton and Clio, to be conditioned upon the availability of funds in the State General Fund, the determination of a demonstrated need, recommendation by the Finance Director, and approval by the Governor.

26. COSMETOLOGY, ALABAMA
BOARD OF:

(a) Professional and Occupational Licensing and Regulation Program	667,590
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SOURCE OF FUNDS:

(1) Alabama Board of Cosmetology Fund	667,590
As provided in Section 34-7-42, <u>Code of Alabama</u> 1975.	

Total Alabama Board of Cosmetology	667,590 667,590
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27. COUNSELING, ALABAMA
BOARD OF EXAMINERS IN:

(a) Professional and Occupational Licensing and Regulation Program	58,700
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SOURCE OF FUNDS:

(1) Alabama Board of Examiners in Counseling Fund	58,700
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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
As provided in Section 34-8A-6, <u>Code of Alabama</u> 1975.				
Total Alabama Board of Examiners in Counseling			58,700	58,700
28.	CREDIT UNION ADMINISTRATION, ALABAMA:			
(a)	Charter, License and Regulate Financial Institutions Program			400,700
SOURCE OF FUNDS:				
(1)	Alabama Credit Union Administration Fund		400,700	
As provided in Section 5-17-7, <u>Code of Alabama</u> 1975.				
Total Alabama Credit Union Administration			400,700	400,700
29.	CRIME VICTIMS COMPENSATION COMMISSION, ALABAMA:			
(a)	Special Services Program, Estimated			416,606
SOURCE OF FUNDS:				
(1)	Alabama Crime Victims Compensation Commis- sion Fund, Estimated		416,606	
To be expended in accord- ance with Sections 15-23- 1 et seq., <u>Code of Alabama</u> 1975.				
Total Alabama Crime Victims Compensation Commission ...			416,606	416,606
30.	CRIMINAL JUSTICE INFORMATION CENTER, ALABAMA:			
(a)	Criminal Justice Information Services Program			3,198,484
SOURCE OF FUNDS:				
(1)	State General Fund - Transfer	2,352,568		

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
(2) Federal, Local, and Miscellaneous Funds			845,916	
Total Alabama Criminal Justice Information Center		2,352,568	845,916	3,198,484
31. DEVELOPMENT OFFICE, ALABAMA:				
(a) Promotional Development Program-Alabama Film Commission				255,000
(b) Administrative Services Program-Office of Minority Business				105,500
(c) Industrial Development Program-Alabama Development Office				4,528,309
SOURCE OF FUNDS:				
(1) State General Fund - Transfer - Alabama Development Office		4,428,309		
(2) State General Fund - Transfer - Office of Minority Business		105,500		
(3) State General Fund - Transfer - Alabama Film Commission		255,000		
(4) Federal, Local and Miscellaneous Funds			100,000	
Total Alabama Development Office		4,788,809	100,000	4,888,809
32. DISTRICT ATTORNEYS:				
(a) Court Operations Program				11,254,926
The proposed spending plan included in the above total is as follows:				
Salaries of District Attorneys		2,331,897		
Salary of elected Deputy District Attorney of the Bessemer Division of the 10th Judicial Circuit		57,045		
For the use of the elected Assistant District Attorney of the Bessemer Division of the 10th Judicial Circuit		136,393		

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Fund Sources Included In Appropriation Total			Appropriation <u>Total</u>
General Fund	Trust Fund		
Salaries and expenses of Su- pernumeraary District Attorneys 1,030,750			
Administrative Services (in- cluding longevity) 1,147,221			
For use in the District Attor- ney's Office of the following Judicial Circuits:			
1st Judicial Circuit97,999			
2nd Judicial Circuit90,622			
3rd Judicial Circuit145,303			
4th Judicial Circuit340,314			
5th Judicial Circuit294,072			
6th Judicial Circuit242,048			
7th Judicial Circuit188,715			
8th Judicial Circuit147,564			
9th Judicial Circuit117,994			
10th Judicial Circuit ...370,757			
11th Judicial Circuit ...105,365			
12th Judicial Circuit ...210,978			
13th Judicial Circuit ...349,688			
14th Judicial Circuit ...109,224			
15th Judicial Circuit ...345,239			
16th Judicial Circuit ...165,981			
17th Judicial Circuit72,884			
18th Judicial Circuit ...182,293			
19th Judicial Circuit ...138,772			
20th Judicial Circuit ...165,997			
21st Judicial Circuit ...125,780			
22nd Judicial Circuit ..109,374			
23rd Judicial Circuit ...256,725			
24th Judicial Circuit ...103,211			
25th Judicial Circuit99,249			
26th Judicial Circuit ...168,785			
27th Judicial Circuit ...127,409			
28th Judicial Circuit ...150,768			
29th Judicial Circuit ...157,560			
30th Judicial Circuit ...157,361			
31st Judicial Circuit ...101,825			
32nd Judicial Circuit ..117,925			

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	Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
	General Fund	Trust Fund	
33rd Judicial Circuit ...112,930			
34th Judicial Circuit89,915			
35th Judicial Circuit85,647			
36th Judicial Circuit86,632			
37th Judicial Circuit ...133,631			
38th Judicial Circuit ...123,011			
39th Judicial Circuit90,632			
Travel Expenses of District Attorneys75,000			
Investigators Subsistence-Sec- tion 36-21-2, <u>Code of Alabama</u> <u>1975</u>196,441			
SOURCE OF FUNDS:			
(1) State General Fund	11,254,926		
Total District Attorneys	11,254,926		11,254,926
33. ECONOMIC AND COMMUNITY AFFAIRS, ALABAMA DEPARTMENT OF:			
(a) Administrative Support Serv- ices Program		4,460,955	
(b) Planning Program		35,130,574	
(c) Special Services Program		18,941,180	
(d) Skills Enhancement and Em- ployment Opportunities Program		62,766,488	
(e) Energy Management Program		14,918,242	
(f) Traffic Control and Accident Prevention Program		3,186,905	
(g) Law Enforcement Planning and Development Program		3,303,226	
(h) Surplus Property Program		1,310,000	
SOURCE OF FUNDS:			
(1) State General Fund - Transfer	7,233,079		
(2) Federal, Local and Miscel- laneous Funds		131,493,354	
(3) Administrative Transfers		3,981,137	
(4) Administrative Transfers from Federal Donated Sur- plus Property Sales		700,000	

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
(5) Administrative Transfers from State-Owned Surplus Property Sales			610,000	
Total Alabama Department of Economic and Community Affairs		7,233,079	136,784,491	144,017,570
34. EDUCATION, DEPARTMENT OF:				
(a) Direct Client Services for the Handicapped-Homebound Program				2,000,000
(b) Projects-Vocational Rehabili- tation/Crippled Children Serv- ices Program-Eye Injury Register				19,380
SOURCE OF FUNDS:				
(1) State General Fund		2,019,380		
Total Department of Education		2,019,380		2,019,380
35. ELECTRICAL CONTRACTORS, BOARD OF:				
(a) Professional and Occupational Licensing and Regulation Program				93,000
SOURCE OF FUNDS:				
(1) Electrical Contractors Board Fees			93,000	
As provided in Section 34- 36-17, <u>Code of Alabama</u> <u>1975.</u>				
Total Board of Electrical Contractors			93,000	93,000
36. ELK RIVER DEVELOPMENT AGENCY:				
(a) Water Resource Development Program				4,265
SOURCE OF FUNDS:				
(1) State General Fund		4,265		
Total Elk River Development Agency		4,265		4,265

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
37.	EMERGENCY MANAGEMENT AGENCY:			
(a)	Readiness and Recovery Program			4,980,194
(b)	Transfer to County Emer- gency Management Agencies			350,000
	The above appropriation of \$350,000 is to be in addition to the regular allocations to county emergency management agen- cies.			
	SOURCE OF FUNDS:			
(1)	State General Fund - Transfer	1,066,148		
(2)	Federal, Local and Miscel- laneous Funds		4,264,046	
	Total Emergency Manage- ment Agency	1,066,148	4,264,046	5,330,194
38.	ENERGY BOARD, SOUTHERN STATES:			
(a)	Discovery and Development of Mineral, Energy and Water Resources, Geological Re- search and Topographic Map- ping Program			21,171
	SOURCE OF FUNDS:			
(1)	State General Fund	21,171		
	Total Southern States Energy Board	21,171		21,171
39.	ENGINEERS AND LAND SURVEYORS, STATE BOARD OF REGISTRATION FOR PROFESSIONAL:			
(a)	Professional and Occupational Licensing and Regulation Program			397,100
	SOURCE OF FUNDS:			
(1)	Professional Engineers' Fund		397,100	
	As provided in Section 34- 11-36, <u>Code of Alabama</u> <u>1975.</u>			

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
Total State Board of Registration for Professional Engineers and Land Surveyors			397,100	397,100
40.	ENVIRONMENTAL MANAGEMENT, DEPARTMENT OF:			
	(a) Environmental Management Program			39,071,777
	SOURCE OF FUNDS:			
	(1) State General Fund - Transfer	3,113,488		
	A portion of the above ap- propriation shall be uti- lized as a transfer to Water Pollution Control Author- ity.			
	(2) Environmental Manage- ment Fees		2,128,350	
	As provided in Section 22- 22A-11, <u>Code of Alabama</u> 1975.			
	(3) Federal, Local and Miscel- laneous Funds		6,669,939	
	(4) Federal Match - Water Pollution Control Authority		27,160,000	
	Total Department of Environ- mental Management	3,113,488	35,958,289	39,071,777
41.	ETHICS COMMISSION, ALABAMA:			
	(a) Regulation of Public Officials and Employees Program			307,679
	SOURCE OF FUNDS:			
	(1) State General Fund	307,679		
	Total Alabama Ethics Commission	307,679		307,679
42.	FARM CRISIS AND TRANSITION PROGRAM:			
	(a) Agricultural and Development Services Program			166,250
	SOURCE OF FUNDS:			
	(1) State General Fund - Transfer	166,250		

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
Total Farm Crisis and Transition Program		166,250		166,250
43.	FARMERS' MARKET AUTHORITY:			
(a)	Agricultural Development Services Program			268,256
SOURCE OF FUNDS:				
(1)	State General Fund - Transfer for Administration	94,374		
(2)	Farmers' Market Author- ity Administration - Transfer from Capital Outlay Account		36,941	
(3)	Farmers' Market Author- ity Fund - Revenue and Capital Outlay Account		136,941	
Total Farmers' Market Authority		94,374	173,882	268,256
44.	FINANCE, DEPARTMENT OF:			
(a)	Fiscal Management Program			3,398,063
(b)	Administrative Support Serv- ices Program			4,161,515
SOURCE OF FUNDS:				
(1)	State General Fund	7,509,578		
(2)	Miscellaneous Funds		50,000	
Total Department of Finance		7,509,578	50,000	7,559,578
45.	FINANCE, DEPARTMENT OF- AIR TRANSPORTATION:			
(a)	Administrative Support Serv- ices Program			1,892,270
SOURCE OF FUNDS:				
(1)	State General Fund - Transfer	1,148,487		
(2)	Departmental Receipts		743,783	
Total Department of Finance - Air Transportation		1,148,487	743,783	1,892,270
46.	FINANCE, DEPARTMENT OF - ALABAMA BUILDING AUTHORITY:			
(a)	Administrative Support Serv- ices Program			1,397,605
(b)	Asbestos Removal and Renovation			3,075,559

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
SOURCE OF FUNDS:				
(1) Alabama Building Authority Operating Fund		4,473,164		
Total Department of Finance - Alabama Building Authority ..		4,473,164		4,473,164
47. FINANCE, DEPARTMENT OF - ALABAMA BUILDING FINANCE AUTHORITY:				
(a) Administrative Support Services Program, Estimated				1,047,021
SOURCE OF FUNDS:				
(1) Alabama Building Finance Authority Operating Fund		1,047,021		
Total Department of Finance - Alabama Building Finance Authority		1,047,021		1,047,021
48. FINANCE, DEPARTMENT OF - CAPITOL COMPLEX MAINTENANCE AND REPAIR:				
(a) Administrative Support Services Program				2,642,641
SOURCE OF FUNDS:				
(1) Capitol Complex Revolving Fund		2,642,641		
Total Department of Finance - Capitol Complex Maintenance and Repair		2,642,641		2,642,641
49. FINANCE, DEPARTMENT OF - DATA CENTER REVOLVING FUND:				
(a) Administrative Support Services Program				16,697,200
SOURCE OF FUNDS:				
(1) Data Center Revolving Fund		16,697,200		
Total Department of Finance - Data Center Revolving Fund		16,697,200		16,697,200

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
50.	FINANCE, DEPARTMENT OF - STATE INSURANCE FUND:			
	(a) Administrative Support Serv- ices Program			749,696
	SOURCE OF FUNDS:			
	(1) State Insurance Fund - Admin.		749,696	
	As provided in Sections 41- 15-1 et seq., <u>Code of Ala- bama 1975.</u>			
	Total Department of Finance - State Insurance Fund		749,696	749,696
51.	FINANCE, DEPARTMENT OF - CENTRAL MAIL AND SUPPLY:			
	(a) Administrative Support Serv- ices Program			5,586,954
	SOURCE OF FUNDS:			
	(1) Mail and Supply Revolv- ing Fund		5,586,954	
	Total Department of Finance - Central Mail and Supply		5,586,954	5,586,954
52.	FINANCE, DEPARTMENT OF - MOTOR POOL:			
	(a) Administrative Support Serv- ices Program			1,794,828
	SOURCE OF FUNDS:			
	(1) Motor Pool Revolving Fund		1,794,828	
	Total Department of Finance - Motor Pool		1,794,828	1,794,828
53.	FINANCE, DEPARTMENT OF - PRINTING AND PUBLICATIONS:			
	(a) Administrative Support Serv- ices Program			4,542,084
	SOURCE OF FUNDS:			
	(1) Printing and Publications Revolving Fund		4,542,084	
	Total Department of Finance - Printing and Publications		4,542,084	4,542,084

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
54.	FINANCE, DEPARTMENT OF - DSMD SUPERCOMPUTER REVOLVING FUND:			
	(a) Administrative Support Serv- ices Program			1,000,000
	The above appropriation is for the maintenance and opera- tion of the Supercomputer.			
	SOURCE OF FUNDS:			
	(1) Collections from state agencies and other entities		1,000,000	
	Total Department of Finance - DSMD Supercomputer Re- volving Fund		1,000,000	1,000,000
55.	FINANCE, DEPARTMENT OF - TELEPHONE REVOLVING FUND:			
	(a) Administrative Support Serv- ices Program			9,644,200
	SOURCE OF FUNDS:			
	(1) State General Fund - Transfer	2,400,000		
	(2) Telephone Revolving Fund		7,244,200	
	Total Department of Finance - Telephone Revolving Fund	2,400,000	7,244,200	9,644,200
56.	FOREIGN TRADE RELATIONS COMMISSION:			
	(a) Special Services Program			80,220
	SOURCE OF FUNDS:			
	(1) State General Fund	80,220		
	Total Foreign Trade Relations Commission	80,220		80,220
57.	FORENSIC SCIENCES, DEPARTMENT OF:			
	(a) Forensic Science Services Program			5,286,974
	SOURCE OF FUNDS:			
	(1) State General Fund	5,129,501		
	(2) Federal, Local and Miscel- laneous Funds		157,473	

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
Total Department of Forensic Sciences		5,129,501	157,473	5,286,974
58. FORESTERS, ALABAMA STATE BOARD OF REGISTRATION FOR:				
(a) Professional and Occupational Licensing and Regulation Program				24,500
SOURCE OF FUNDS:				
(1) Professional Foresters' Fund			24,500	
As provided in Section 34- 12-36, <u>Code of Alabama</u> 1975.				
Total Alabama State Board of Registration for Foresters			24,500	24,500
59. FORESTRY COMMISSION, ALABAMA:				
(a) Forest Resources Protection and Development Program				20,435,455
SOURCE OF FUNDS:				
(1) State General Fund - Transfer		10,428,016		
(2) Federal and Local Funds			2,801,625	
(3) Forestry Commission Fund			7,205,814	
Of the above appropria- tion, at least \$650,000 shall be used for rural and com- munity fire protection.				
Total Alabama Forestry Commission		10,428,016	10,007,439	20,435,455
In addition to the above appropria- tion to the Alabama For- estry Commission, there is hereby conditionally appropri- ated for capital outlay from the Alabama Forestry Commis- sion Fund the net proceeds from the sale of certain present property where the Birming- ham District Headquarters is located in Jefferson County. The proceeds from said sale				

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
shall be covered into the Alabama Forestry Commission Fund. The above conditional appropriation shall be used to purchase land, building(s), and/or construction of building(s) in order to relocate the Birmingham District Headquarters. This conditional appropriation shall become absolute when said sale is concluded, recommended by the Finance Director and approved by the Governor.				
60.	FUNERAL SERVICE, ALABAMA BOARD OF:			
	(a) Professional and Occupational Licensing and Regulation Program			128,000
	SOURCE OF FUNDS:			
	(1) Alabama Funeral Directors and Embalmers Fund		128,000	
	As provided in Section 34-13-23, <u>Code of Alabama</u> <u>1975.</u>			
	Total Alabama Board of Funeral Service		128,000	128,000
61.	GEOLOGICAL SURVEY:			
	(a) Discovery and Development of Mineral, Energy and Water Resources, Geological Research and Topographic Mapping Program			2,347,514
	SOURCE OF FUNDS:			
	(1) State General Fund	1,768,645		
	(2) Federal, Local and Miscellaneous Funds		578,869	
	Total Geological Survey	1,768,645	578,869	2,347,514
62.	GORGAS MEMORIAL BOARD:			
	(a) Historical Resources Management Program			7,894
	SOURCE OF FUNDS:			
	(1) State General Fund	7,894		
	As provided in Section 41-9-220, <u>Code of Alabama</u>			

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
<u>1975, and an additional amount.</u>				
Total Gorgas Memorial Board		7,894		7,894
63.	GOVERNOR'S CONTINGENCY FUND:			
(a)	Executive Direction Program			1,562,900
SOURCE OF FUNDS:				
(1)	State General Fund	1,562,900		
Total Governor's Contingency Fund		1,562,900		1,562,900
64.	GOVERNOR'S MANSION ADVISORY BOARD:			
(a)	Historical Resources Manage- ment Program			9,073
SOURCE OF FUNDS:				
(1)	State General Fund - Transfer	9,073		
Total Governor's Mansion Ad- visory Board		9,073		9,073
65.	GOVERNOR'S MANSION:			
(a)	Executive Direction Program			181,450
SOURCE OF FUNDS:				
(1)	State General Fund	181,450		
Total Governor's Mansion		181,450		181,450
66.	GOVERNOR'S OFFICE:			
(a)	Executive Direction Program			1,559,403
SOURCE OF FUNDS:				
(1)	State General Fund	1,559,403		
Total Governor's Office		1,559,403		1,559,403
67.	GOVERNOR'S OFFICE ON VOLUNTEERISM:			
(a)	Executive Direction Program			82,321
SOURCE OF FUNDS:				
(1)	State General Fund - Transfer	82,321		
Total Governor's Office on Volunteerism		82,321		82,321

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
68.	HEALTH, DEPARTMENT OF PUBLIC:			
(a)	Personal Health Improvement Program			64,321,038
(b)	Health Support Services Program			48,681,411
	Of the amount appropriated to support local health depart- ment services, \$4,020,000 shall be used to provide a minimum staff in each of the 67 counties, and the remaining shall be al- located to the counties on the basis of need and a match for- mula to be determined by the Department.			
(c)	Administrative Services Program			7,962,713
	SOURCE OF FUNDS:			
(1)	State General Fund	24,845,546		
(2)	Cigarette Tax-\$0.01 and \$0.02		4,000,000	
	As provided in Section 40-25-2 and Section 40- 25-23, <u>Code of Alabama</u> <u>1975.</u>			
(3)	Vital Statistics Fund		1,381,254	
(4)	Hospital Licensing Fund		235,000	
(5)	Emergency Medical Services Fund		50,000	
	As provided in Section 22-18-4, <u>Code of Ala-</u> <u>bama 1975.</u>			
(6)	Local Health Departments		20,880,748	
(7)	Nuclear Monitoring Fund		139,000	
(8)	Radiation Safety Fund ..		100,000	
(9)	Miscellaneous Funds SOBRA Services Program		2,400,000	
(10)	Miscellaneous Funds		9,845,514	
(11)	Federal Funds		57,088,100	

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
Total Department of Public Health		24,845,546	96,119,616	120,965,162
69.	HEALTH PLANNING AGENCY, STATE:			
(a)	Health Planning, Develop- ment and Regulation Program			640,065
	SOURCE OF FUNDS:			
(1)	State General Fund - Transfer	290,065		
(2)	Certificate of Need Fees ...		300,000	
(3)	Federal, Local and Miscel- laneous Funds		50,000	
	Total State Health Planning Agency	290,065	350,000	640,065
70.	HEARING AID DEALERS, ALABAMA BOARD OF:			
(a)	Professional and Occupational Licensing and Regulation Program			40,000
	SOURCE OF FUNDS:			
(1)	State Board of Health - Hearing Aid Fund		40,000	
	As provided in Section 34- 14-33, <u>Code of Alabama</u> 1975.			
	Total Alabama Board of Hear- ing Aid Dealers		40,000	40,000
71.	HEATING AND AIR CONDITIONING CONTRACTORS, BOARD OF:			
(a)	Professional and Occupational Licensing and Regulation Program			133,301
	SOURCE OF FUNDS:			
(1)	Heating and Air Condi- tioning Contractors Fund		133,301	
	Total Board of Heating and Air Conditioning Contractors		133,301	133,301
72.	HERITAGE TRUST FUND, ALABAMA:			
(a)	Fiscal Management Program			20,000

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
SOURCE OF FUNDS:				
(1) Heritage Trust Income			20,000	
Total Alabama Heritage Trust Fund			20,000	20,000
73. HIGHWAY DEPARTMENT:				
(a) Central Administration Program				10,706,273
(b) Division and District Supervi- sion Program				19,224,843
(c) Operations and Support Serv- ices Program				7,972,800
(d) Maintenance Program				131,438,043
(e) Non-Programmatic Programs				108,842,333
Proposed Spending Plan for the above (e) includes the fol- lowing:				
Debt Service	107,285,685			
Equipment-Other than Automotive	1,556,648			
(f) Construction-Federal Aid Program				335,308,070
Proposed Spending Plan for the above (f) includes the fol- lowing:				
Federal Aid Matching	47,729,452			
Non-Participating Work on Federal Projects	1,000,000			
Federal Aid	286,578,618			
(g) Construction-State Program ..				20,240,000
(h) Operations-Land and Buildings				1,408,000
SOURCE OF FUNDS:				
(1) State General Fund - Transfer		311,500		
(2) Public Road and Bridge Fund			348,250,244	
(3) Federal Aid			286,578,618	
There is hereby appropri- ated, for payment of the principal of and the inter- est on all bonds thereto- fore or hereafter issued for				

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Fund Sources Included In Appropriation Total			Appropriation <u>Total</u>
General Fund	Trust Fund		

public highways and bridge purposes, or either, by the State of Alabama, Alabama Highway Authority, Alabama Federal Aid Highway Finance Authority, or Alabama Industrial Access Road and Bridge Corporation, a total of \$107,285,685 or so much as may be necessary for payment of said principal and interest at their respective maturities, of the revenues pledged for such payment. The Highway Director with the consent of the Governor and the Finance Director shall have the authority to transfer any appropriation or any portion thereof between and among Subsections (a), (b), (c), (d), (e), (f), (g), (h), of this Section whenever such transfer shall be necessary to assure maximum utilization of Federal Matching Funds which shall become available. In the event that there shall not be sufficient funds available for payment of all appropriations hereinabove made, the following provisions shall be applicable. In the event of such insufficiency in respect of the said revenues accruing to the State Highway Department:

the appropriations made for Debt Service in Subsection (e) hereof shall be paid in full, (2) the appropriations from the revenues accruing to the State Highway Department that are herein made for the purposes referred to in Subsections (a), (b), (c), (d), (e), (f), (g), (h) except for Debt Service, hereof

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Fund Sources Included
In Appropriation Total

General Fund	Trust Fund	Appropriation <u>Total</u>
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shall be allocated among the purposes referred to in said Subsections in such order and with such priorities as the State Highway Director shall from time to time direct. The funds appropriated in Subsection (f) hereof, for the matching Federal Funds, shall not revert at the end of the fiscal year for which such appropriations are made, but shall remain available for the purpose for which such appropriation was made. In addition to all appropriations hereinabove made there is hereby appropriated to the State Highway Department all Federal Funds accruing thereto to be expended only for the purpose for which such funds are made available.

Total Highway Department ...	311,500 634,828,862 635,140,362
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74. HISTORIC BLAKELEY
AUTHORITY:

(a) Tourism and Travel Promotion Program	190,150
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SOURCE OF FUNDS:

(1) State General Fund	190,150
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Total Historic Blakeley

Authority	190,150 190,150
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75. HISTORIC CHATTAHOOCHEE
COMMISSION:

(a) Historical Resources Management Program	80,000
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SOURCE OF FUNDS:

(1) State General Fund	80,000
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Total Historic Chattahoochee

Commission	80,000 80,000
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76. HISTORICAL COMMISSION,
ALABAMA:

(a) Historical Resources Management Program	1,902,466
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(b) Historical Resources Management Program-Capital Outlay	108,249
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	Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
	General Fund	Trust Fund	
SOURCE OF FUNDS:			
(1) State General Fund -			
Transfer	1,076,814		
The State General Fund appropriation shall be dis- tributed as follow:			
Historical Commission, Alabama	505,040		
Historical Commission, Alabama-La Grange	7,774		
Historical Commission, Alabama-Magnolia Grove	38,000		
Historical Commission, Alabama-Fort Morgan	180,000		
Historical Commission, Alabama-Fort Toulouse	110,294		
Historical Commission, Alabama-John T. Morgan House, Selma	11,460		
Historical Commission, Alabama- Cahaba	150,000		
Historical Commission, Alabama- Gaineswood	74,246		
(2) State General Fund - Transfer-Capital Outlay ..	108,249		
(3) Federal, Local and Miscel- laneous Funds		825,652	
Total Alabama Historical Commission	1,185,063	825,652	2,010,715

As provided in Act No. 87-749, in addition to the amounts appropriated hereinabove to the Alabama Historical Commission, there is hereby appropriated the proceeds from the sale of 1945 legislative desks and chairs for the cost of reproduction furniture to be used in the restoration of the Alabama State Capitol.

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
77.	HUMAN RESOURCES, DEPARTMENT OF:			
(a)	Human Services Program			279,380,417
	It is the intent of the Legislature that allotments be made to the County Departments of Human Resources in the amount of \$165,500 to fund, upon approval of the county department director, supplemental client services not otherwise provided for through existing programs of the Department of Human Resources. Allotments to the county departments based on the counties' populations according to the 1980 census are as follows: county populations greater than 50,000, \$3,500; county populations less than 50,000, \$2,000.			
	SOURCE OF FUNDS:			
	(1) State General Fund - Transfer	11,846,809		
	(2) Federal, Local and Miscellaneous Funds		185,874,156	
	(3) ABC Profits		1,070,000	
	(4) Whiskey Tax		21,100,000	
	(5) Beer Tax		8,100,000	
	(6) Pension Residue		14,000,000	
	(7) Sales Tax		1,322,000	
	(8) Franchise Tax		13,600,000	
	(9) Child Support Collections		3,127,097	
	(10) Sales Tax for Food Stamps		11,090,355	
	(11) Cigarette Tax		4,375,000	
	(12) Transfer from ABC Profits		2,000,000	
	(13) Contractor's Gross Receipts Tax		1,875,000	
	Total Department of Human Resources	11,846,809	267,533,608	279,380,417

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
78.	INDIAN AFFAIRS COMMISSION, ALABAMA:			
	(a) Social Services Program			135,536
	The above appropriation is to be expended in accordance with Sections 41-9-708 et seq., <u>Code of Alabama 1975.</u>			
	SOURCE OF FUNDS:			
	(1) State General Fund	135,536		
	Total Alabama Indian Affairs Commission	135,536		135,536
79.	INDUSTRIAL DEVELOPMENT AUTHORITY, STATE:			
	(a) Industrial Development Program			76,100
	SOURCE OF FUNDS:			
	(1) SIDA Application Fees Fund		76,100	
	Total State Industrial Devel- opment Authority		76,100	76,100
80.	INDUSTRIAL RELATIONS, DEPARTMENT OF:			
	(a) Employment Security Program			35,886,337
	(b) Industrial Safety and Accident Prevention Program			4,749,032
	(c) Administrative Services Program			8,466,731
	(d) Workmen's Compensation Program			580,113
	SOURCE OF FUNDS:			
	(1) State General Fund	1,159,337		
	(2) Federal, Local and Miscel- laneous Funds		48,522,876	
	Total Department of Indus- trial Relations	1,159,337	48,522,876	49,682,213
81.	INSURANCE, DEPARTMENT OF:			
	(a) Regulatory Services Program			2,365,123
	SOURCE OF FUNDS:			
	(1) State General Fund	1,254,670		

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
(2)	Fire Marshal's Fund		136,844	
	As provided in Section 24-5-10, <u>Code of Alabama 1975</u> . Any balance in excess of \$50,000 at the end of the fiscal year shall be transferred to the State General Fund.			
(3)	Examination Revolving Fund		973,609	
	Total Department of Insurance	1,254,670	1,110,453	2,365,123
82.	INSURANCE BOARD, STATE EMPLOYEES':			
(a)	Administrative Support Services Program			350,000
	SOURCE OF FUNDS:			
(1)	State Employees' Insurance Board Expense Fund		350,000	
	Total State Employees' Insurance Board		350,000	350,000
83.	INTERIOR DESIGNERS, ALABAMA STATE BOARD OF REGISTRATION FOR:			
(a)	Professional and Occupational Licensing and Regulation Program			5,700
	SOURCE OF FUNDS:			
(1)	Interior Designers Fund ...		5,700	
	As provided in Section 34-15A-7, <u>Code of Alabama 1975</u> .			
	Total Alabama State Board of Registration for Interior Designers		5,700	5,700
84.	LABOR, DEPARTMENT OF:			
(a)	Regulatory Services Program			354,802
	SOURCE OF FUNDS:			
(1)	State General Fund	304,802		
(2)	Federal, Local and Miscellaneous Funds		50,000	

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
Total Department of Labor		304,802	50,000	354,802
85.	LANDSCAPE ARCHITECTS, BOARD OF EXAMINERS OF:			
(a)	Professional and Occupational Licensing and Regulation Program			18,525
	SOURCE OF FUNDS:			
(1)	Landscape Architects Fund		18,525	
	As provided in Section 34- 17-6, <u>Code of Alabama</u> 1975.			
Total Board of Examiners of Landscape Architects			18,525	18,525
86.	LIEUTENANT GOVERNOR, OFFICE OF THE:			
(a)	Legislative Operations and Support Program			401,907
	SOURCE OF FUNDS:			
(1)	State General Fund	401,907		
Total Office of the Lieutenant Governor		401,907		401,907
87.	LIQUEFIED PETROLEUM GAS BOARD:			
(a)	Regulatory Services Program			342,000
	SOURCE OF FUNDS:			
(1)	Liquefied Petroleum Gas Board Fund		342,000	
Total Liquefied Petroleum Gas Board			342,000	342,000
88.	MANUFACTURED HOUSING COMMISSION, ALABAMA:			
(a)	Regulatory Services Program			494,921
	SOURCE OF FUNDS:			
(1)	Alabama Manufactured Housing Commission Fund		494,921	
	As provided in Section 24- 6-4, <u>Code of Alabama</u> 1975.			
Total Alabama Manufactured Housing Commission			494,921	494,921

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
89.	MEDICAID AGENCY, ALABAMA:			
(a)	Medical Assistance Through Medicaid Program			537,286,519
	<p>It is the intent of the Legislature that of the above appropriation, which includes \$22,489,144 for SOBRA, Medicaid eligibility shall be extended to include, to the fullest extent possible, pregnant women and children up to 1 year of age who have incomes at or below 100% of the federal poverty level. It is the further intent of the Legislature that the provisions of the state's SOBRA program will include raising to a minimum of 80% of the physician's reimbursement level the reimbursement for certified midwives for deliveries under Medicaid. Also, it is the intent of the Legislature that the state's SOBRA program provide for physician reimbursement for deliveries at minimum per patient which is above the national Medicaid average adjusted annually for global delivery fee and that such fee be reviewed periodically by the Alabama Medicaid Agency to insure the rate structure provides access for prenatal care. In addition, the Legislature intends that SOBRA provisions include reimbursement to pediatricians who attend a high-risk Medicaid covered delivery. The Legislature intends that SOBRA provisions in the State allow pregnant women, who are determined to be eligible for Medicaid through SOBRA, remain eligible throughout their pregnancy, that an assets test shall not be required in making a determination of eligibility for such program, and that all providers</p>			

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	Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
	General Fund	Trust Fund	
designated under Public Law 99-509 (SOBRA) may be certifiers of presumptive eligibility for Medicaid which will insure that the eligible State population have access for said services.			
SOURCE OF FUNDS:			
(1) State General Fund - Transfer	108,676,779		
(2) State General Fund - Transfer - SOBRA	6,049,572		
(3) Transfer from Depart- ment of Human Resources		3,824,175	
(4) Transfer from Mental Health		19,050,250	
(5) Transfer from Commis- sion on Aging		1,770,580	
(6) Federal, Local and Miscel- laneous Funds		397,915,163	
Total Alabama Medicaid Agency	114,726,351	422,560,168	537,286,519

90. MENTAL HEALTH AND
MENTAL RETARDATION,
DEPARTMENT OF:

(a) Institutional Treatment and Care-Mental Illness Program	84,547,098
(b) Institutional Treatment and Care-Mental Retardation Program	65,484,013
(c) Institutional Treatment and Care-Criminally Insane Program	5,518,354
(d) Administrative Services Program	4,937,444
(e) Community Services Program	59,527,300
(f) Agency Administration Program	675,823

SOURCE OF FUNDS:

(1) State General Fund - Transfer	58,724,627
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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
(2)	Special Mental Health Trust Fund		85,844,000	
	For operations and maintenance of the State Mental Health and Mental Retardation Department and the Mental Health and Mental Retardation Community Programs, including the purchase of drugs for medically indigent mental patients not hospitalized at time of receiving drugs at the Alabama state hospitals.			
(3)	Transfer from ABC Profits		1,000,000	
(4)	Cigarette Tax		6,800,000	
(5)	Federal, Local and Miscellaneous Funds		68,321,405	
	Total Department of Mental Health and Mental Retardation	58,724,627	161,965,405	220,690,032
91.	MILITARY DEPARTMENT:			
(a)	Military Operations Program			5,497,360
(b)	Capital Outlay			184,947
	SOURCE OF FUNDS:			
(1)	State General Fund - Operations	1,624,700		
(2)	State General Fund - Quarterly Allowances Headquarters	1,500,000		
	Regular Allowance Units to be used solely for operating expenses; provided, that no more than \$4,500 shall be allotted in any fiscal year for the Alabama National Guard Headquarters.			
(3)	State General Fund - Transfer-Capital Outlay for Architect and Engineering Services, specifications, repair and construction of facilities ..	184,947		
	The above appropriation			

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
include funding for asbestos removal at the Fort Whiting Armory.				
(4) State General Fund - Active Military Service	37,500			
(5) State General Fund - Transfer to Armory Commission	2,326,660			
(6) State General Fund - Dropping Allowance	4,500			
(7) State General Fund - State Defense Force	4,000			
Total Military Department	5,682,307			5,682,307
92. MILITARY DEPARTMENT-ARMORY COMMISSION OF ALABAMA:				
(a) Military Operations Program				4,426,425
SOURCE OF FUNDS:				
(1) Transfer from Military Department			2,326,660	
(2) Federal, Local and Miscellaneous Funds			2,099,765	
The funds hereinabove appropriated to the Armory Commission shall be payable from the funds in the State Treasury to the credit of the Armory Commission and the appropriation hereinabove made includes the appropriation made for the care, maintenance, and construction of facilities; provided, however, that the last federal government service contract reimbursement shall not revert to the State General Fund, and any unobligated balance remaining thereof in the Armory Commission Fund at the end of the fiscal year in excess of \$50,000 shall be transferred to the State General Fund.				
Total Armory Commission of Alabama			4,426,425	4,426,425

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
93.	MOTOR SPORTS HALL OF FAME:			
	(a) Tourism and Travel Promo- tion Program			68,044
	SOURCE OF FUNDS:			
	(1) State General Fund	68,044		
	Total Motor Sports Hall of Fame	68,044		68,044
94.	MUSIC HALL OF FAME, ALABAMA:			
	(a) Fine Arts Program			115,725
	SOURCE OF FUNDS:			
	(1) State General Fund	115,725		
	Total Alabama Music Hall of Fame	115,725		115,725
95.	NURSING, ALABAMA BOARD OF:			
	(a) Professional and Occupational Licensing and Regulation Program			1,052,160
	SOURCE OF FUNDS:			
	(1) Alabama Board of Nursing Trust Fund - as provided in <u>Code of Alabama 1975</u> , as amended, Sections 34-21-1 through 34-21-43		1,052,160	
	Total Alabama Board of Nursing		1,052,160	1,052,160
96.	NURSING HOME ADMINISTRATORS, BOARD OF EXAMINERS OF:			
	(a) Professional and Occupational Licensing and Regulation Program			48,000
	SOURCE OF FUNDS:			
	(1) Board of Examiners of Nursing Home Adminis- trators Fund		48,000	
	As provided in Section 34- 20-7, <u>Code of Alabama</u> <u>1975</u> .			

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
Total Board of Examiners of Nursing Home Administrators			48,000	48,000
97. OIL AND GAS BOARD:				
(a) Management and Regulation of Oil and Gas Exploration and Development Program				2,130,918
SOURCE OF FUNDS:				
(1) State General Fund		2,020,918		
(2) Oil and Gas Board Special Fund			100,000	
(3) Federal, Local and Miscel- laneous Funds			10,000	
Total Oil and Gas Board		2,020,918	110,000	2,130,918
98. PARDONS AND PAROLES, BOARD OF:				
(a) Administration of Pardons and Paroles Program				9,786,715
SOURCE OF FUNDS:				
(1) State General Fund		6,770,995		
(2) Probationers Upkeep Fund			2,878,050	
In accordance with Sec- tion 15-22-2, <u>Code of Ala- bama 1975.</u>				
(3) Miscellaneous Funds			137,670	
Total Board of Pardons and Paroles		6,770,995	3,015,720	9,786,715
99. PEACE OFFICERS' ANNUITY AND BENEFIT FUND, ALABAMA:				
(a) Retirement Systems Program				266,990
SOURCE OF FUNDS:				
(1) Peace Officers' Annuity and Benefit Fund			266,990	
As provided in Section 36- 21-66, <u>Code of Alabama 1975.</u>				
Total Alabama Peace Officers' Annuity and Benefit Fund			266,990	266,990

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
100. PERSONNEL DEPARTMENT, STATE:				
(a) Administrative Support Serv- ices Program				2,893,827
SOURCE OF FUNDS:				
Transfers to the State Person- nel Department shall be as fol- lows:				
(1) Board of Public Accountancy			287	
(2) Department of Aeronautics			479	
(3) Commission on Aging			1,915	
(4) Department of Agricul- ture and Industries			44,290	
(5) Agricultural Center Board			1,819	
(6) Alcoholic Beverage Con- trol Board			88,054	
(7) Board of Registration for Architects			144	
(8) Archives and History			4,644	
(9) State Council on the Arts			1,006	
(10) Attorney General's Office			13,646	
(11) State Auditor			2,059	
(12) State Banking Department			4,980	
(13) Building Commission			2,155	
(14) Child Abuse and Neglect Prevention Board			192	
(15) Chiropractic Examiners			96	
(16) Department of Conser- vation and Natural Resources			100,934	
(17) State Licensing Board for General Contractors			527	
(18) Department of Corrections			264,688	
(19) Board of Cosmetology			862	
(20) Credit Union Administration			527	

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
(21)	Alabama Crime Victims Compensation Commission		622	
(22)	Criminal Justice Infor- mation Center		6,033	
(23)	Alabama Development Office		3,208	
(24)	State Docks		46,541	
(25)	Department of Economic and Community Affairs		29,878	
(26)	Department of Education		128,322	
(27)	Electrical Contractors Board		48	
(28)	Emergency Management Agency		3,687	
(29)	Local Emergency Management		5,000	
(30)	Board of Registration for Professional Engineers and Land Surveyors		431	
(31)	Department of Environ- mental Management		22,265	
(32)	Ethics Commission		575	
(33)	Examiners of Public Accounts		20,110	
(34)	Farmers' Market Authority		239	
(35)	Finance Department		45,679	
(36)	Finance-Alabama Build- ing Authority		2,681	
(37)	Finance-Alabama Build- ing Finance Authority		1,819	
(38)	Firefighters' Personnel Standards and Educa- tion Commission		383	
(39)	Foreign Trade Relations Commission		144	
(40)	Department of Forensic Sciences		10,869	
(41)	Forestry Commission		39,742	
(42)	Funeral Services		144	
(43)	Governor's Office		3,112	

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
(44)	Department of Public Health		209,960	
(45)	State Health Planning Agency		1,484	
(46)	Board of Heating and Air Conditioning Contractors		192	
(47)	Highway Department		359,972	
(48)	Alabama Historical Commission		5,794	
(49)	Housing Finance Authority		239	
(50)	Department of Human Resources		373,953	
(51)	Alabama Indian Affairs Commission		144	
(52)	Department of Industrial Relations		162,318	
(53)	Insurance Department ...		5,315	
(54)	Judicial Inquiry Commission		48	
(55)	Department of Labor		766	
(56)	Legislative Reference Service		575	
(57)	Liquefied Petroleum Gas Board		622	
(58)	Manufactured Housing Commission		383	
(59)	Alabama Medicaid Agency		26,861	
(60)	Department of Mental Health and Mental Retardation		448,936	
(61)	Military Department		17,285	
(62)	Board of Nursing		1,580	
(63)	Board of Examiners of Nursing Home Administrators		48	
(64)	Oil and Gas Board		10,294	
(65)	Pardons and Paroles		26,718	
(66)	Peace Officers' Annuity and Benefit Fund		239	
(67)	Peace Officers' Standards and Training Commission		335	

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	Fund Sources Included In Appropriation Total		Appropriation Total
	General Fund	Trust Fund	
(68) Physical Fitness Commission		575	
(69) Board of Physical Therapy		48	
(70) Board of Polygraph Examiners		96	
(71) Public Library Service ...		5,698	
(72) Department of Public Safety		118,458	
(73) Public Service Commission		13,119	
(74) Alabama Educational Television Commission		7,757	
(75) Real Estate Commission		1,484	
(76) Retirement Systems		11,396	
(77) Department of Revenue		113,000	
(78) Secretary of State		2,442	
(79) Securities Commission ...		2,011	
(80) Board of Social Work Examiners		96	
(81) Soil and Water Conservation		335	
(82) Surface Mining Commission		4,788	
(83) Bureau of Tourism and Travel		6,799	
(84) State Treasurer		4,070	
(85) Department of Veterans' Affairs		5,937	
(86) Board of Veterinary Medical Examiners		96	
(87) Department of Youth Services		36,725	
Total State Personnel Department		2,893,827	2,893,827
101. PHYSICAL THERAPY, BOARD OF:			
(a) Professional and Occupational Licensing and Regulation Program			72,435
SOURCE OF FUNDS:			
(1) Physical Therapist Fund		72,435	

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
As provided in Section 34-24-195, <u>Code of Alabama 1975.</u>				
Total Board of Physical Therapy			72,435	72,435
102. PLUMBERS AND GAS FITTERS EXAMINING BOARD, ALABAMA:				
(a) Professional and Occupational Licensing and Regulation Program				249,480
SOURCE OF FUNDS:				
(1) Board of Plumbers and Gas Fitters Examiners Fund ...			249,480	
Total Alabama Plumbers and Gas Fitters Examining Board			249,480	249,480
103. POLYGRAPH EXAMINERS, BOARD OF:				
(a) Professional and Occupational Licensing and Regulation Program				30,000
SOURCE OF FUNDS:				
(1) Board of Polygraph Examiners Fund			30,000	
As provided in Section 34-25-5, <u>Code of Alabama 1975.</u>				
Total Board of Polygraph Examiners			30,000	30,000
104. PROSECUTION SERVICES, OFFICE OF:				
(a) Prosecution, Training, Education and Management Program				1,291,526
SOURCE OF FUNDS:				
(1) State General Fund - Transfer		364,688		
(2) Office of Prosecution Services Fund			926,838	
Total Office of Prosecution Services		364,688	926,838	1,291,526

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
105.	PSYCHOLOGY, ALABAMA BOARD OF EXAMINERS IN:			
	(a) Professional and Occupational Licensing and Regulation Program			45,430
	SOURCE OF FUNDS:			
	(1) Board of Examiners in Psychology Fund		45,430	
	As provided in Section 34- 26-43, <u>Code of Alabama</u> <u>1975.</u>			
	Total Alabama Board of Ex- aminers in Psychology		45,430	45,430
106.	PUBLIC SAFETY, DEPARTMENT OF:			
	(a) Traffic Control and Accident Prevention Program			21,295,348
	(b) Criminal Investigation Program			4,316,530
	(c) Driver's Licensing and Im- provement Program			9,738,662
	(d) Public Safety Support Services Program			5,661,909
	(e) Administrative Services Program			3,271,844
	(f) Alabama Criminal Justice Training Center Program			1,201,787
	SOURCE OF FUNDS:			
	(1) State General Fund	45,486,080		
	Total Department of Public Safety	45,486,080		45,486,080
107.	PUBLIC SERVICE COMMISSION:			
	(a) Regulatory Services Program			5,449,101
	(b) Administrative Services Program			1,842,134
	SOURCE OF FUNDS:			
	(1) Public Service Commis- sion Fund		6,673,235	
	The above appropriation to the Alabama Public Service Commission shall			

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
be payable only from inspection and supervision fees paid by utilities and transportation companies and such parts or percentages of fees and taxes paid by motor carrier or motor transportation companies as are now or may be set aside by law to be used by the Commission. Any surplus remaining in the Alabama Public Service Commission Fund at the end of the fiscal year in excess of \$600,000 shall be transferred to the State General Fund.				
(2) Gas Pipeline Safety Fund			386,000	
(3) Federal and Miscellaneous Funds			232,000	
Total Public Service Commission			7,291,235	7,291,235
108. REAL ESTATE COMMISSION, ALABAMA:				
(a) Professional and Occupational Licensing and Regulation Program				1,129,034
SOURCE OF FUNDS:				
(1) Alabama Real Estate Commission Fund			1,129,034	
As provided in Section 34-27-4, <u>Code of Alabama 1975</u> and the total expenditures shall in no manner exceed the amounts hereby appropriated.				
Total Alabama Real Estate Commission			1,129,034	1,129,034
109. REVENUE, DEPARTMENT OF:				
(a) State Revenue Administration Program				49,671,147

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	Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
	General Fund	Trust Fund	

SOURCE OF FUNDS:

(1) State General Fund - Transfer	250,000	
As provided in Section 40-7-70, <u>Code of Ala- bama 1975</u> , to maintain a program for the equal- ization of ad valorem tax assessments.		
(2) State General Fund - Board of Equalization ...	124,442	
(3) Ad Valorem Equalization Fund		220,115
(4) Transfer from the gross proceeds of Cigarette Tax Collections		888,224
As provided in Section 40-25A-20, <u>Code of Ala- bama 1975</u> .		
(5) Transfer from the gross proceeds of Financial In- stitution Excise Tax Collections		230,198
(6) Transfer from the pro- ceeds of the Forest Sev- erance Tax Collections ...		84,784
(7) Transfer from the gross proceeds of Gasoline Tax Collections		4,030,552
(8) Transfer from the In- come Tax Collections		13,678,883
(9) Transfer from the gross proceeds of Motor Fuel Tax Collections		840,032
(10) Transfer from the gross proceeds of Motor Vehi- cle License Collections ...		1,821,412
(11) Transfer from the Pen- sion Fund as part of the cost of collections of the 1-Mill Ad Valorem Tax		557,337
(12) Transfer from the Public School Fund as part of the cost of collections of the 3-Mill Ad Valorem Tax		1,373,134

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	Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
	General Fund	Trust Fund	
(13) Transfer from the gross proceeds of Sales Tax Collections		12,067,459	
(14) Transfer from the gross proceeds of the Tobacco Tax Collections		36,353	
(15) Transfer from the gross proceeds of Use Tax Collections		1,320,637	
(16) Transfer from the gross proceeds of the Utility Tax Collections		2,932,060	
(17) Local Funds		6,000,442	
(18) Transfer from the gross proceeds of Motor Vehi- cle License Collections for the purchase only of Mo- tor Vehicle License Tags		2,365,083	
(19) Inspection fees for re- stored vehicles		750,000	
As provided in Section 32-8-87, <u>Code of Ala- bama 1975.</u>			
(20) Revenue Administration Fund - Transfer from Abandoned Property Trust Fund as provided in Section 35-12-39, <u>Code of Alabama 1975</u>		100,000	

The amounts herein-
above appropriated for
the cost of maintenance
and operations of the De-
partment of Revenue are
in lieu of any other stat-
utory provisions for the
payment of the cost of
operating said Depart-
ment or collections of the
taxes as authorized by
law. Provided, however,
in addition to the amount
hereinabove appropri-
ated, there is hereby ap-
propriated to the
Department of Revenue
all sums allowed the De-
partment of Revenue by

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	Fund Sources Included In Appropriation Total		Appropriation Total
	General Fund	Trust Fund	
local Acts of the Legisla- ture as a charge for the collection of taxes or li- censes.			
Total Department of Revenue	374,442	49,296,705	49,671,147
110. SEAFOOD ADVISORY COMMISSION:			
(a) Marine Resources Program			40,520
SOURCE OF FUNDS:			
(1) Seafood Advisory Com- mission Fund		40,520	
Total Seafood Advisory Commission		40,520	40,520
111. SECRETARY OF STATE:			
(a) Administrative Support Serv- ices Program			1,157,627
SOURCE OF FUNDS:			
(1) State General Fund	778,627		
(2) UCC and Farm Indexing Fund		379,000	
Total Secretary of State	778,627	379,000	1,157,627
112. SECURITIES COMMISSION:			
(a) Regulatory Services Program			817,228
SOURCE OF FUNDS:			
(1) State General Fund	469,489		
(2) Industrial Revenue Bond Notification Fund		220,190	
(3) Sale of Checks License Fund		7,781	
(4) Exemption Fund		119,768	
Total Securities Commission	469,489	347,739	817,228
113. SENIOR CITIZENS HALL OF FAME, ALABAMA:			
(a) Historical Resources Manage- ment Program			22,681
To be expended in accordance with Section 41-9-740 et seq., <u>Code of Alabama 1975.</u>			

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
SOURCE OF FUNDS:				
(1) State General Fund	22,681			
Total Alabama Senior Citizens Hall of Fame	22,681			22,681
114. SOCIAL WORK EXAMINERS, ALABAMA STATE BOARD OF:				
(a) Professional and Occupational Licensing and Regulation Program				61,888
SOURCE OF FUNDS:				
(1) Alabama State Board of Social Work Examiners Fund			61,888	
As provided in Section 34- 30-6, <u>Code of Alabama</u> <u>1975.</u>				
Total Alabama State Board of Social Work Examiners			61,888	61,888
115. SOIL AND WATER CONSERVATION COMMITTEE, STATE:				
(a) Water Resource Development Program				1,161,288
(b) Professional and Occupational Licensing and Regulation Program				4,000
SOURCE OF FUNDS:				
(1) State General Fund	1,131,288			
(2) Soil Classifiers Fund			4,000	
As provided in Section 34- 32-19, <u>Code of Alabama</u> <u>1975.</u>				
(3) Transfer from Agricultural and Conservation Devel- opment Commission			30,000	
Total State Soil and Water Conservation Committee	1,131,288		34,000	1,165,288
116. SOUTHERN GROWTH POLICIES BOARD:				
(a) Special Services Program				27,830
SOURCE OF FUNDS:				
(1) State General Fund	27,830			

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
Total Southern Growth Poli- cies Board		27,830		27,830
117. SPACE SCIENCE EXHIBIT COMMISSION, ALABAMA:				
(a) Tourism and Travel Promo- tion Program				95,000
SOURCE OF FUNDS:				
(1) State General Fund		95,000		
Total Space Science Exhibit Commission		95,000		95,000
118. SPEECH PATHOLOGY AND AUDIOLOGY, ALABAMA BOARD OF EXAMINERS FOR:				
(a) Professional and Occupational Licensing and Regulation Program				28,270
SOURCE OF FUNDS:				
(1) Alabama Board of Exam- iners for Speech Pathology and Audiology Fund			28,270	
As provided in Section 34- 28A-44, <u>Code of Alabama</u> 1975.				
Total Alabama Board of Ex- aminers for Speech Pathology and Audiology			28,270	28,270
119. SPORTS HALL OF FAME, ALABAMA:				
(a) Historical Resources Manage- ment Program				136,850
SOURCE OF FUNDS:				
(1) State General Fund		136,850		
Total Alabama Sports Hall of Fame		136,850		136,850
120. SURFACE MINING COMMISSION, ALABAMA:				
(a) Industrial Safety and Accident Prevention Program				4,989,079
SOURCE OF FUNDS:				
(1) State General Fund - Transfer		200,000		

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
(2)	Surface Mining Commission Fund		4,789,079	
	As provided by Section 9-16-103, Code of Alabama 1975. All fees and charges, grants, gifts, fines, bond forfeitures or other monies received under the above act, in addition to the appropriation herein made, are appropriated to the Surface Mining Commission.			
	Total Alabama Surface Mining Commission	200,000	4,789,079	4,989,079
121.	TANNEHILL FURNACE AND FOUNDRY COMMISSION:			
(a)	Historical Resources Management Program			246,531
	SOURCE OF FUNDS:			
(1)	State General Fund	246,531		
	Total Tannehill Furnace and Foundry Commission	246,531		246,531
122.	TENNESSEE-TOMBIGBEE WATERWAY DEVELOPMENT AUTHORITY:			
(a)	Water Resource Development Program			105,000
	SOURCE OF FUNDS:			
(1)	State General Fund	105,000		
	Total Tennessee-Tombigbee Waterway Development Authority	105,000		105,000
123.	TENNESSEE VALLEY EXHIBIT COMMISSION OF ALABAMA:			
(a)	Promotional Development Program			369,519
	To be expended in accordance with Sections 41-9-780 et seq., Code of Alabama 1975.			
	SOURCE OF FUNDS:			
(1)	State General Fund - Transfer	68,044		

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
(2) Federal, Local and Miscellaneous Funds			301,475	
Total Tennessee Valley Exhibit Commission of Alabama		68,044	301,475	369,519
124. TOURISM AND TRAVEL, BUREAU OF:				
(a) Tourism and Travel Promotion Program				5,001,999
SOURCE OF FUNDS:				
(1) State General Fund - Transfer		1,411,638		
(2) Lodgings Tax (\$0.01)			3,590,361	
Receipts collected under the provisions of Section 40-26-1 et seq., <u>Code of Alabama 1975.</u>				
Total Bureau of Tourism and Travel		1,411,638	3,590,361	5,001,999
125. TREASURER, STATE:				
(a) Fiscal Management Program				1,562,680
SOURCE OF FUNDS:				
(1) State General Fund		1,562,680		
Total State Treasurer		1,562,680		1,562,680
126. UNIFORM STATE LAWS, ALABAMA COMMISSION ON:				
(a) Special Services Program, Estimated				4,536
SOURCE OF FUNDS:				
(1) State General Fund		4,536		
As provided in Section 41-9-374, <u>Code of Alabama 1975.</u>				
Total Alabama Commission on Uniform State Laws		4,536		4,536
127. VETERANS' AFFAIRS, DEPARTMENT OF:				
(a) Administration of Veterans' Affairs Program				2,731,056
SOURCE OF FUNDS:				
(1) State General Fund		2,731,056		

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
Total Department of Veterans' Affairs		2,731,056		2,731,056
128. VETERINARY MEDICAL EXAMINERS, ALABAMA STATE BOARD OF:				
(a) Professional and Occupational Licensing and Regulation Program				145,000
SOURCE OF FUNDS:				
(1) State Board of Veterinary Medical Examiners Fund			145,000	
As provided in Section 34-29-23 and Section 34-29-41, Code of Alabama 1975.				
Total Alabama State Board of Veterinary Medical Examiners			145,000	145,000
129. WOMEN'S COMMISSION, ALABAMA:				
(a) Employment and Social Opportunities Program				9,980
SOURCE OF FUNDS:				
(1) State General Fund		9,980		
Total Alabama Women's Commission		9,980		9,980
130. WOMEN'S HALL OF FAME, ALABAMA:				
(a) Historical Resources Management Program				5,444
SOURCE OF FUNDS:				
(1) State General Fund		5,444		
Total Alabama Women's Hall of Fame		5,444		5,444
131. YOUTH SERVICES, DEPARTMENT OF:				
(a) Youth Services Program				617,977
The above appropriation shall be expended in accordance with the provisions of Sections 44-1-1 through 44-1-56, Code of Alabama 1975.				

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
(b)	Juvenile Probation Officers Subsidy			2,243,000
	SOURCE OF FUNDS:			
	(1) State General Fund - Youth Services Program	617,977		
	(2) State General Fund - Ju- venile Probation Officers Subsidy	2,243,000		
	Total Department of Youth Services	2,860,977		2,860,977
2D.	OTHER FUNCTIONS OF GOVERNMENT FUNDED FROM THE STATE GENERAL FUND:			
1.	ADVERTISING LANDS FOR TAX SALE:			
(a)	State Revenue Administration Program			115,000
	SOURCE OF FUNDS:			
	(1) State General Fund	115,000		
	As provided in Section 40- 10-22, Code of Alabama 1975.			
	Total Advertising Lands for Tax Sale	115,000		115,000
2.	ARREST OF ABSCONDING FELONS:			
(a)	Criminal Investigation Program			65,000
	SOURCE OF FUNDS:			
	(1) State General Fund	65,000		
	As provided in Section 15- 9-3, Code of Alabama 1975.			
	Total Arrest of Absconding Felons	65,000		65,000
3.	ATTORNEYS' FEES FOR REAPPORTIONMENT CASES:			
(a)	Legal Advice and Legal Serv- ices Program			50,000
	SOURCE OF FUNDS:			
	(1) State General Fund	50,000		

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
Total Attorneys' Fees for Re- apportionment Cases		50,000		50,000
4.	AUTOMATIC APPEAL EXPENSE:			
(a)	Legal Advice and Legal Serv- ices Program			100
	SOURCE OF FUNDS:			
(1)	State General Fund	100		
	As provided in Section 12- 22-150 and Section 12-22- 241, <u>Code of Alabama</u> 1975.			
Total Automatic Appeal Expense		100		100
5.	CIVIL COURT COSTS IN CONNECTION WITH AD VALOREM TAX ASSESSMENTS APPEALS:			
(a)	State Revenue Administration Program			200
	SOURCE OF FUNDS:			
(1)	State General Fund	200		
	As provided in Section 40- 7-45, <u>Code of Alabama</u> 1975.			
Total Civil Court Costs in Connection with Ad Valorem Tax Assessments Appeals		200		200
6.	CONSUMER UTILITY RATE HEARING:			
(a)	Executive Direction Program			250,000
	SOURCE OF FUNDS:			
(1)	State General Fund - Transfer	250,000		
	As provided in Section 37- 1-18 <u>Code of Alabama</u> 1975.			
Total Consumer Utility Rate Hearing		250,000		250,000

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
7.	COURT-ASSESSED COSTS NOT OTHERWISE PROVIDED FOR:			
	(a) Court-Assessed Costs provided by law for which no other ap- propriations are made-Special Services Program			800,000
	It is the intent of the Legisla- ture that the above appropria- tion be expended only for costs assessed by state and federal courts and specifically excludes any attorney fees, court judge- ments or out-of-court settle- ments except those provided in <u>Code of Alabama 1975, Section 22-52-14 and Act 87-574.</u>			
	(b) Court-Assessed Attorney Fees in cases where the state is a defendent-Legal Advice and Legal Services Program			200,000
	It is the intent of the Legisla- ture that the above appropria- tion be released only at the direction of the Governor for Statewide Court Cases.			
	SOURCE OF FUNDS:			
	(1) State General Fund	1,000,000		
	Total Court-Assessed Costs Not Otherwise Provided For ..	1,000,000		1,000,000
8.	COURT COSTS-ACT NO. 558, 1957:			
	(a) Court Operations Program			500
	SOURCE OF FUNDS:			
	(1) State General Fund	500		
	Pursuant to Act No. 558, 1957, page 777.			
	Total Court Costs-Act No. 558, 1957	500		500
9.	DISTRIBUTION OF PUBLIC DOCUMENTS:			
	(a) Administrative Support Serv- ices Program			80,000
	SOURCE OF FUNDS:			
	(1) State General Fund	80,000		

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
As provided in Sections 41-21-8, 36-14-1, and 36-14-11, <u>Code of Alabama 1975.</u>				
Total Distribution of Public Documents		80,000		80,000
10.	STATE DOCKS TRANSFER			3,500,000
SOURCE OF FUNDS:				
(1)	State General Fund - Transfer	3,500,000		
The above appropriation to the State Docks shall be conditional upon the availability of funds and shall remain in the State General Fund until a demonstrated need is determined and recommended by the Finance Director and approved by the Governor.				
Total State Docks Transfer		3,500,000		3,500,000
11.	ELECTION EXPENSES:			
(a)	Special Services Program			2,500,000
SOURCE OF FUNDS:				
(1)	State General Fund	2,500,000		
As provided in Section 17-4-153, <u>Code of Alabama 1975.</u>				
Total Election Expenses		2,500,000		2,500,000
12.	EMERGENCY FUND, DEPARTMENTAL:			
(a)	Special Services Program			2,000,000
SOURCE OF FUNDS:				
(1)	State General Fund	2,000,000		
This is the appropriation contemplated in Section 41-4-94, <u>Code of Alabama 1975</u> , and shall be the only amount appropriated and the total amount expended under the provisions of said section. This appropriation shall be expended				

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	Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
	General Fund	Trust Fund	
solely for the purpose of addressing a financial emergency within a state department, board, com- mission, bureau, office, or agency. None of the above appropriation shall be transferred to the Gover- nor's contingency fund.			
<hr/>			
Total Departmental Emer- gency Fund	2,000,000		2,000,000
<hr/>			
13. FAIR TRIAL TAX TRANSFER:			
(a) Court Operations Program			400,000
SOURCE OF FUNDS:			
(1) State General Fund - Transfer	400,000		
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Total Fair Trial Tax	400,000		400,000
<hr/>			
14. FEEDING OF PRISONERS:			
(a) Institutional Services - Correc- tions Program			3,000,000
SOURCE OF FUNDS:			
(1) State General Fund	3,000,000		
For expenses of feeding prisoners in county jails in accordance with Section 14-6-42, <u>Code of Alabama</u> <u>1975.</u>			
<hr/>			
Total Feeding of Prisoners	3,000,000		3,000,000
<hr/>			
15. DEPARTMENT OF FINANCE- EMPLOYEES' SUGGESTION AWARDS PROGRAM:			
(a) Fiscal Management Program			10,000
SOURCE OF FUNDS:			
(1) State General Fund	10,000		
In accordance with Sec- tion 36-1-7, <u>Code of Ala-</u> <u>bama 1975.</u>			
<hr/>			
Total Department of Finance- Employees' Suggestion Awards Program	10,000		10,000

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
16.	DEPARTMENT OF FINANCE- FEMA:			
(a)	Readiness and Recovery Program			1,300,000
	Payments of the State's share of administrative costs and matching grants furnished by the Federal Emergency Man- agement Agency.			
	SOURCE OF FUNDS:			
	(1) State General Fund	1,300,000		
	Total Department of Finance- FEMA	1,300,000		1,300,000
17.	FOREST FIRE FUND, EMERGENCY:			
(a)	Forest Resources Protection And Development Program			180,000
	SOURCE OF FUNDS:			
	(1) State General Fund - Transfer	180,000		
	As provided by Section 9- 3-10.1, <u>Code of Alabama</u> 1975.			
	Total Emergency Forest Fire Fund	180,000		180,000
18.	GOVERNOR'S CONFERENCE, NATIONAL:			
(a)	Executive Direction Program			101,800
	SOURCE OF FUNDS:			
	(1) State General Fund	101,800		
	Total National Governor's Conference	101,800		101,800
19.	GOVERNOR'S COUNCILLOR:			
(a)	Executive Direction Program			26,000
	SOURCE OF FUNDS:			
	(1) State General Fund	26,000		
	As provided in Section 36- 13-13, <u>Code of Alabama</u> 1975.			
	Total Governor's Councillor ...	26,000		26,000

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
20.	GOVERNOR'S PROCLAMATION EXPENSES:			
(a)	Executive Direction Program, Estimated			250,000
	SOURCE OF FUNDS:			
(1)	State General Fund	250,000		
	As provided in Section 17- 14-21, <u>Code of Alabama</u> 1975.			
	Total Governor's Proclama- tion Expenses	250,000		250,000
21.	GOVERNORS' WIDOWS RETIREMENT:			
(a)	Executive Direction Program			14,400
	SOURCE OF FUNDS:			
(1)	State General Fund	14,400		
	As provided in Section 36- 13-12, <u>Code of Alabama</u> 1975.			
	Total Governors' Widows Retirement	14,400		14,400
22.	INTERPRETER'S ACCOUNT:			
(a)	Court Operations Program			2,500
	SOURCE OF FUNDS:			
(1)	State General Fund	2,500		
	As provided in Sections 12- 21-131 et seq., <u>Code of</u> <u>Alabama 1975.</u>			
	Total Interpreter's Account	2,500		2,500
23.	LAW ENFORCEMENT FUND:			
(a)	Criminal Investigation Program			2,500
	SOURCE OF FUNDS:			
(1)	State General Fund - Transfer	2,500		
	As provided in Section 28- 4-312, <u>Code of Alabama</u> 1975.			
	Total Law Enforcement Fund	2,500		2,500

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
24.	LAW ENFORCEMENT LEGAL DEFENSE:			
(a)	Legal Advice and Legal Serv- ices Program			3,000
	SOURCE OF FUNDS:			
(1)	State General Fund	3,000		
	To carry out provisions of Section 36-21-1, <u>Code of Alabama 1975.</u>			
	Total Law Enforcement Legal Defense	3,000		3,000
25.	LIABILITY INSURANCE FUND, STATE			1,000,000
	SOURCE OF FUNDS:			
(1)	State General Fund - Transfer	1,000,000		
	As provided in Section 36- 1-6.1, <u>Code of Alabama 1975.</u>			
	Total State Liability Insurance Fund	1,000,000		1,000,000
	Of the above appropriation \$40,000 is hereby appropriated to the Liability Insurance Board for administrative ex- penses.			
26.	MAILING TAX NOTICES:			
(a)	State Revenue Administration Program			100
	SOURCE OF FUNDS:			
(1)	State General Fund	100		
	As provided in Section 40- 7-25, <u>Code of Alabama 1975.</u>			
	Total Mailing Tax Notices	100		100
27.	MILITARY - EMERGENCY ACTIVE DUTY PAY:			
(a)	Military Operations Program			300,000
	SOURCE OF FUNDS:			
(1)	State General Fund	300,000		

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
As provided in Section 31-2-85, <u>Code of Alabama 1975.</u>				
Total Military - Emergency Active Duty Pay		300,000		300,000
<hr/>				
28.	POLICEMAN'S SURVIVOR TUITION ACT:			
(a)	Support of Other Educational Activities Program			30,000
SOURCE OF FUNDS:				
(1)	State General Fund	30,000		
As provided in Sections 36-21-95 through 36-21-99, <u>Code of Alabama 1975.</u>				
<hr/>				
Total Policeman's Survivor Tuition Act		30,000		30,000
<hr/>				
29.	PRESIDENTIAL ELECTORAL EXPENSE:			
(a)	Administrative Support Serv- ices Program			2,000
SOURCE OF FUNDS:				
(1)	State General Fund	2,000		
As provided in Section 17-19-8, <u>Code of Alabama 1975.</u>				
<hr/>				
Total Presidential Electoral Expense		2,000		2,000
<hr/>				
30.	PRINTING OF CODE SUPPLEMENTS - LEGISLATIVE REFERENCE SERVICE:			
(a)	Legislative Operations and Support Program			500,000
SOURCE OF FUNDS:				
(1)	State General Fund	500,000		
As provided in Section 29-7-6, <u>Code of Alabama 1975.</u>				
<hr/>				
Total Printing of Code Supple- ments - Legislative Reference Service		500,000		500,000
<hr/>				

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
31.	PRINTING CODES AND SUPPLEMENTS - SECRETARY OF STATE:			
	(a) Administrative Support Serv- ices Program			165,000
	SOURCE OF FUNDS:			
	(1) State General Fund	165,000		
	As provided in Sections 41- 21-1 and 41-21-154, <u>Code</u> <u>of Alabama</u> 1975.			
	Total Printing Codes and Sup- plements - Secretary of State	165,000		165,000
32.	PRINTING OF LEGISLATIVE ACTS AND JOURNALS:			
	(a) Administrative Support Serv- ices Program			500,000
	SOURCE OF FUNDS:			
	(1) State General Fund	500,000		
	As provided in Sections 41- 4-130 through 41-4-161, <u>Code of Alabama</u> 1975.			
	Total Printing of Legislative Acts and Journals	500,000		500,000
33.	PRINTING OF STATE AND COUNTY PRIVILEGE LICENSES:			
	(a) State Revenue Administration Program			25,000
	SOURCE OF FUNDS:			
	(1) State General Fund	25,000		
	Total Printing of State and County Privilege Licenses	25,000		25,000
34.	REGISTRATION OF VOTERS:			
	(a) Special Services Program			1,150,000
	SOURCE OF FUNDS:			
	(1) State General Fund	1,150,000		
	In accordance with Sec- tions 17-4-126 and 17-4- 153, <u>Code of Alabama</u> <u>1975.</u>			
	Total Registration of Voters ...	1,150,000		1,150,000

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
35.	REMOVAL OF PRISONERS:			
	(a) Administrative Services and Logistical Support Program ...			300,000
	SOURCE OF FUNDS:			
	(1) State General Fund	300,000		
	As provided in Sections 15- 10-70 through 15-10-73 and 15-9-62, 15-9-65, and 15-9-81, <u>Code of Alabama</u> <u>1975.</u>			
	Total Removal of Prisoners	300,000		300,000
36.	REPAYMENT-ACT 86-645			
	FUND NO. 305735			7,000,000
	SOURCE OF FUNDS:			
	(1) State General Fund - Transfer	7,000,000		
	Total Repayment-Act 86-645 Fund No. 305735	7,000,000		7,000,000
	The above appropriation shall be conditional upon the avail- ability of funds in the State General Fund and the approval of the Governor.			
37.	STATE GENERAL FUND, ESTIMATED			57,000,000
	SOURCE OF FUNDS:			
	(1) Heritage Trust Income Fund Transfer, Estimated		57,000,000	
	All income other than in- come realized on sale of Trust Fund assets and not otherwise appropriated herein.			
	Total State General Fund, Estimated		57,000,000	57,000,000
38.	STATE TREASURER- PREVIOUS YEAR'S UNPAID WARRANTS:			
	(a) Special Services Program			275,000
	SOURCE OF FUNDS:			
	(1) State General Fund	275,000		

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
As provided in Section 41-4-60, <u>Code of Alabama 1975.</u>				
Total State Treasurer-Previous Year's Unpaid Warrants		275,000		275,000
<hr/>				
2E. DEBT SERVICE FUNDED FROM THE STATE GENERAL FUND:				
1. General Obligation Capital Improvement Bonds, Series B, Estimated ...				1,184,000
SOURCE OF FUNDS:				
(1) State General Fund - Transfer		1,184,000		
<hr/>				
Total General Obligation Capital Improvement Bonds, Series B, Estimated		1,184,000		1,184,000
<hr/>				
2. General Obligation Coosa Waterway Bonds, Series A and B, Estimated ..				1,015,270
SOURCE OF FUNDS:				
(1) State General Fund - Transfer		1,015,270		
<hr/>				
Total General Obligation Coosa Waterway Bonds, Series A and B, Estimated		1,015,270		1,015,270
<hr/>				
3. General Obligation Docks Facilities Bonds, Series A-C, Estimated				4,599,000
SOURCE OF FUNDS:				
(1) State General Fund - Transfer		4,599,000		
<hr/>				
Total General Obligation Docks Facilities Bonds, Series A-C, Estimated		4,599,000		4,599,000
<hr/>				
4. Tennessee-Tombigbee Waterway Bonds, Series A and C-D, Estimated				3,401,367
SOURCE OF FUNDS:				
(1) State General Fund - Transfer, Estimated		3,401,367		
Pursuant to Constitutional Amendment No. 270 as provided in Act No. 248, 1967 Regular Session.				
<hr/>				

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
Total Tennessee-Tombigbee Waterway Bonds, Series A and C-D, Estimated		3,401,367		3,401,367
5. Corrections Institution Bonds, Estimated				1,817,000
SOURCE OF FUNDS:				
(1) State General Fund - Transfer, Estimated		1,817,000		
Pursuant to Constitu- tional Amendment No. 374 as provided for in Act No. 134, 1978 Second Special Session.				
Total Corrections Institution Bonds, Estimated		1,817,000		1,817,000
6. General Obligation Capital Bonds, 1982, Series A and B, and General Obligation Refunding Bonds, 1983, Series A and B, Estimated				66,665,897
SOURCE OF FUNDS:				
(1) State General Fund - Transfer		66,665,897		
Total General Obligation Cap- ital Bonds, 1982, Series A and B, and General Obligation Re- funding Bonds, 1983, Series A and B, Estimated				
		66,665,897		66,665,897

SECTION 3. That, except as may be herein otherwise provided, amounts herein specifically appropriated shall be in lieu of the amounts heretofore provided or appropriated by law for such purposes. That the amounts herein appropriated are the maximum amounts to be expended for the purposes herein designated and in no event shall the maximum expenditure provided for any items of expense exceed the amount allocated herein except as may be provided for under Sections 5 and 6 of this bill, as provided in the Budget Management Act of 1976, Sections 41-19-1 et seq., Code of Alabama 1975, and those appropriations herein made, except appropriations to the Alabama Alcoholic Beverage Control Board for the purchase of alcoholic beverages, are and shall be subject to the terms, conditions, provisions and limitations of Sections 41-4-80 et seq., Code of Alabama 1975, and the Budget Management Act of 1976, Sections 41-19-1 et seq., Code of Alabama 1975.

SECTION 4. That any surplus remaining in any appropriation herein made from the State General Fund to any office, department, bureau, board, commission or agency may be transferred, on order of the Governor, to any other appropriation herein made from the State General Fund when such appropriation to any office, department, bureau, board, commission, or agency is insufficient to pay salaries in that office, department, bureau, board, commission or agency.

SECTION 5. In addition to appropriations herein made, all gifts, grants, contributions, appropriations, or entitlements, in excess of the amount carried in the bill, including grants by the Congress of the United States, municipalities or counties, to any department, division, board, bureau, commission, agency, institution, office or officer of the State of Alabama are hereby appropriated and, in the event the same are recurring, are reappropriated to such department, division, board, bureau, commission, agency, institution, office or officer to be used only for the purpose or purposes for which the grant or contribution was or shall be made. Further, all state, county, municipal and educational entities are authorized to disburse such sums as deemed necessary by mutual agreement between said entities and the State of Alabama, Department of Examiners of Public Accounts to partially defray the cost of auditing services performed by said agency. All such sums are hereby appropriated and reappropriated if necessary to the Department of Examiners of Public Accounts for audit services, to be expended through the fund established by Section 41-5-24, Code of Alabama 1975.

SECTION 6. Under the State and Local Fiscal Assistance Act of 1972, as amended, Public Law 92-512, 92nd Congress, any interest earned by the State thereon, together with any accruals or reversions accruing from Revenue Sharing Investments are hereby appropriated to the State General Fund. In the event that \$7,000,000 is repaid to the Revenue Sharing Account during FY 1988-89, any interest earned on that \$7,000,000 shall be appropriated to the Governor's Contingency Fund.

SECTION 7. All encumbered balances of a previous fiscal year appropriation other than the exclusions authorized in Section 41-4-93, Code of Alabama 1975, shall lapse on September 30 of the fiscal year immediately following the fiscal year for which the appropriation was made and shall revert to the credit of the State General Fund or the trust fund from which the appropriation or appropriations were made.

SECTION 8. The appropriations made herein to the departments, boards, offices, commissions, and agencies include the amount necessary and said departments, boards, offices, commissions, and agencies are hereby directed to make the transfer of funds to the State Personnel Department in said amounts enumerated in Section 2C, subsection 100.

SECTION 9. That, if any section, paragraph, sentence, clause, provision, or portion of this Act or all or any portion of any appropriations herein made be held unconstitutional or invalid, it shall not affect any other section, paragraph, sentence, clause, provision or portion of this Act or any other appropriation or appropriations or portion thereof hereby made not in and of itself unconstitutional or invalid.

SECTION 10. That all laws and parts of laws, general, special, private, or local in conflict with or inconsistent with the provisions of this Act be and the same are hereby expressly repealed.

SECTION 11. That each Department of the State funded through the provisions of this budget shall provide an equal opportunity for employment and business opportunities for all citizens of this state without regard to sex or race.

SECTION 12. That this Act shall become effective October 1, 1988.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 186. To provide for the establishment and operation of an Alabama Chiropractors' Hall of Fame Board, and to prescribe its powers and duties.

Also:

H. 201. This bill amends Section 22-21-24, Code of Alabama, 1975, by increasing the fees for the license for health care facilities.

Also:

H. 12. To amend Section 16-3-9, Code of Alabama 1975, which provides for the expense allowance for members of the state board of education, so as to increase said allowance.

Also:

H. 148. To provide that any member of the teachers' or employees' retirement system of Alabama not presently covered by a provision to convert unused sick leave into membership service for purposes of service retirement may do so under the provisions of §36-26-36.1 provided that no employee of an employer participating pursuant to §36-27-6 of the Code of Alabama 1975 shall be entitled to the benefits provided in this act unless such employer elects to come under the provisions of said act.

Also:

H. 8. To amend Article 19 of Chapter 4 of Title 10 of the Code of Alabama (1975), as amended, the Revised Alabama Professional Corporation Act, by amending Sections 10-4-383, 10-4-387, 10-4-389, and 10-4-403 of the Code of Alabama (1975), as amended to determine the date of disqualification of shareholders; to allow corporations in existence December 31, 1983 in which licensed medical and dental professionals were allowed to be shareholders under Section 10-4-235, Code of Alabama (1975), to continue and to permit licensed medical and dental professionals to be allowed to be shareholders in the same professional corporation; permit professional associations in existence December 31, 1983 to continue to use the name professional associations or the abbreviation P.A.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 240. To amend Section 41-9-341, Code of Alabama, 1975, which relates to reimbursement of expenses of members of the USS Alabama Battleship Commission, so as to allow members to be reimbursed for actual

expenses incurred from funds of the Commission and to amend Section 41-9-349, Code of Alabama, 1975, which relates to the powers of the USS Alabama Battleship Commission, so as to authorize the Commission to lease certain of its lands in furtherance of the purposes for which the Commission was organized.

Also:

H. 279. To amend Sections 10-2A-114, 10-2A-116, 10-2A-180, 10-2A-183, 10-2A-191, 10-2A-260, 10-2A-261, 10-2A-281 and 10-2A-282, Code of Alabama, 1975, so as to create the Secretary of State Corporations Fund, to provide for fees relating to corporations, to provide that the Secretary of State be provided copies of certain corporations filings, and to provide an appropriation from the Secretary of State Corporation Fund for the fiscal year 1988-89.

Also:

H. 9. To revise the law on powers contained in mortgages on real estate and to provide: definitions; foreclosure by power of sale; minimum standards for notice of sale; method of conducting foreclosure by power of sale; and successive sales under power permitted. This Act applies only to mortgages, defined herein, executed on or after the effective date of this Act which is January 1, 1989.

Also:

H. 219. To prohibit any state or county inmate from being employed by any district attorney, judge, or sheriff, or any parent, sibling, or child of any district attorney, judge, or sheriff, or for any business one-third or more of which is owned by any district attorney, judge, or sheriff, or any parent, sibling, or child of any district attorney, judge, or sheriff; and to provide a misdemeanor penalty.

Also:

H. 133. To amend Sections 17-13-7, 17-16-35, 17-16-36, 17-17-2, 17-19-4, and 17-20-3, Code of Alabama, 1975, relating to the reporting of election results to the secretary of state so as to stipulate that the results will be reported by precincts.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 61. To amend the Alabama Trademark Act to include the registrability of business tradenames thereby creating an "Alabama Trademark and Tradename Act" by amending sections 8-12-6, 8-12-7, 8-12-8, 8-12-9, 8-12-14, 8-12-16, and 8-12-17 of the Code of Alabama 1975. Further to provide for transition provisions for existing trademarks and an effective date of January 1, 1989.

Also:

H. 221. To provide further for the revision of the guardianship laws of this state by amending Sections 1-106, 1-107, 2-104, 2-309, and 2-313 of the Alabama Uniform Guardianship and Protective Proceedings Act, Act No. 87-590, H. 233, which sections appear respectively as sections 26-2A-6, 26-2A-7, 26-2A-73, 26-2A-138, 26-2A-142, and 26-2A-8 of the Code of Alabama 1975.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 142. COMMENDING LILLIAN PUGH ANDREWS FOR DISTINGUISHED SERVICE AND ACHIEVEMENT.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 163. COMMENDING C. J. HALLMARK FOR DISTINGUISHED SERVICE WITH THE TALLADEGA COUNTY SHERIFF'S DEPARTMENT.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 16. To amend Section 37-1-47 of the Code of Alabama 1975, relating to Public Service Commission intervention in certain federal proceedings, so as to provide further for participation in federal proceedings by the Public Service Commission.

JOHN W. PEMBERTON,
Clerk.

FURTHER CONSIDERATION OF H. B. 27

The Senate proceeded to further consideration of the Bill, H. B. 27. The question was on the substitute offered by Senator Holmes for the substitute offered by Senator Horn.

And said Holmes substitute was then adopted.

Yeas 23; Nays 8.

Yeas:

Senators:	Campbell	Drinkard	Manley	
Amari	Covington	Ellis	Menton	
Barron	deGraffenried	Foshee	Mitchem	
Bedsole	Denton	Hale	Preuitt	
Bishop	Dial	Hand	Rice	
Cabaniss	Dixon	Holmes	Smith (J)	—23

Nays:

Senators:	Bennett	Figures	Horn	
Bailey	Corbett	Hilliard	Langford	
Bedford				—8

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bill with the original Senate Bill, and finds same correctly enrolled, to-wit:

S. 24. To create and provide for the incorporation, organization and operation of the Alabama water system assistance authority; to prescribe the

powers and functions of the said authority as a public corporation; to authorize the authority to make loans or grants to public water systems and to issue bonds; to establish a special "water supply assistance fund"; to provide for a legislative oversight committee to monitor such authority; to provide that the revenues accruing to the Alabama water system assistance authority from bonds issued by such authority shall be deposited in a certain fund to be operated by the state treasury; and to provide for state assistance to and cooperation with community water systems in financing projects that would focus on locating, developing and sustaining adequate potable water supplies for the citizens of this state.

BILL DRINKARD,
Chairperson.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing report from the Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 44. To require pipeline facilities transporting hazardous liquids and/or liquified natural gas (LNG) and facilities used in the liquification of natural gas to comply with certain standards of safety; granting certain additional rights, powers and authority to the Alabama Public Service Commission to carry out the purposes of this Act; prescribing jurisdictions of courts for injunction proceedings; and prescribing monetary sanctions for violations of certain standards of safety.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 53. Authorizing and empowering the state highway department to set speed limits in urban and rural construction zones along state and interstate highways.

JOHN W. PEMBERTON,
Clerk.

FURTHER CONSIDERATION OF H. B. 27

The Senate proceeded to further consideration of the Bill, H. B. 27. The question was on the Horn substitute, as amended by the Holmes substitute.

Senator Dial offered the following amendment to the Horn substitute, as amended by the Holmes substitute, for the Bill, H. B. 27, to-wit:

**AMENDMENT TO SUBSTITUTE, AS AMENDED BY SUBSTITUTE
FOR H. B. 27**

Amend the Substitute, as amended by Substitute, for H. B. 27 on page 30 line 12 by striking the figure "35,130,574" and substitute in lieu thereof the figure "33,830,574";

Further amend on page 30 lines 24 and 35 by striking the figure "7,233,079" and substitute in lieu thereof the figure "5,933,079"

Further amend on page 30 line 35 by striking the figure "144,017,570" and substitute in lieu thereof the figure: "142,717,570"; Further amend on page 33 line 26 and on page 34 line 11 by striking the figure "3,113,488" and by substituting in lieu thereof the figure "4,413,488"; Further amend on page 33, line 23 and on page 34 line 11 by striking the figure "39,071,777"; and substitute in lieu thereof the figure "40,371,777".

Which was adopted.

Senator Rice offered the following amendment to the Horn substitute, as amended by the Holmes substitute, as amended, for the Bill, H. B. 27, to-wit:

**AMENDMENT TO SUBSTITUTE, AS AMENDED BY SUBSTITUTE,
AS AMENDED FOR H. B. 27**

Amend the Substitute, as amended by Substitute, as amended for House Bill 27 Page 9 Line 18, by inserting a new line 18 with the following: "The Commission on aging shall not withdraw Area Agency on Aging designations or alter the funding relationships with existing Area Agencies on Aging and Regional Planning Development Commissions."

Then move old line 18 language to a new number 19 and renumber accordingly.

Which was adopted.

Senator Bedford offered the following amendment to the Horn substitute, as amended by the Holmes substitute, as amended, for the Bill, H. B. 27, to-wit:

**AMENDMENT TO SUBSTITUTE, AS AMENDED BY SUBSTITUTE,
AS AMENDED FOR H. B. 27**

Amend the Substitute, as amended by Substitute, as amended for H. B. 27 on page 42 lines 26, 28, and 30 by striking the figure "1,562,900" and inserting in lieu thereof "562,900".

Further amend the bill on page 40 line 9 and 17 by striking the figure "10,428,016" and inserting in lieu thereof the figure "11,428,016".

Further amend the bill on Page 40 lines 7 and 17 by striking the figure "20,435,455" and inserting in lieu thereof "19,435,455".

Further amend the bill Page 40 after line 9 by adding the following language, "of the above appropriation, at least \$1,000,000 shall be used for rural and community fire protection."

On motion of Senator Hand, said amendment was laid on the table.

Yeas 22; Nays 11.

Yeas:

Senators:	Covington	Ellis	Mitchem	
Amari	deGraffenried	Foshee	Preuitt	
Barron	Denton	Hale	Rice	
Bedsole	Dial	Hand	Smith (B)	
Bishop	Dixon	Manley	Smith (J)	
Cabaniss	Drinkard	Menton		—22

Nays:

Senators:	Bennett	Figures	Langford	
Bailey	Campbell	Goodwin	Parsons	
Bedford	Corbett	Holmes	Sanders	—11

Senator Drinkard moved that further consideration of the Bill, H. B. 27, and pending substitute, as amended, be postponed temporarily, which motion was lost.

Senator Denton offered the following amendment to the Horn substitute, as amended by the Holmes substitute, as amended, for the Bill, H. B. 27, to-wit:

AMENDMENT TO SUBSTITUTE, AS AMENDED BY SUBSTITUTE, AS AMENDED FOR H. B. 27

Amend the Substitute, as amended by Substitute, as amended, for H. B. 27 on page 49 after Line 30 by inserting the following language:

“In addition to the above appropriation to the Highway Department, there is hereby appropriated the sum of \$350,000 from any sources available to the Highway Department as the state match for additional federal mass transit funds, to purchase capital equipment (rolling stock) for the state mass transportation program, and for an insurance and/or self-insurance program.

Which was adopted.

On motion of Senator Hand, further consideration of the Bill, H. B. 27, and pending substitute, as amended, was postponed subject to the call of the Chair.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill:

H. 18. To amend Sections 40-23-2, 40-23-61, 40-23-101 and 40-23-102, Code of Alabama 1975, which levy sales and use taxes on automotive vehicles,

truck trailers, semitrailers, and house trailers, so as to increase the levy from 1 1/2% to 2% and amends Sections 40-23-35 and 40-23-108 to distribute the additional funds generated to the state general fund.

said Conference Report being in words and figures as follows:

REPORT OF CONFERENCE COMMITTEE FOR H. B. 18

We, the Committee on Conference, appointed to reconcile the differences of the two houses concerning House Bill 18, have met in conference and have agreed to accept the attached substitute which is made a part of this report as is fully set out herein.

TAYLOR HARPER,
J. E. TURNER,
TOM COBURN,

Conferees on the Part of the House.

FRED HORN,
JIM PREUITT,
BILL DRINKARD,

Conferees on the Part of the Senate.

CONFERENCE COMMITTEE SUBSTITUTE FOR H. B. 18

**A BILL
TO BE ENTITLED
AN ACT**

To amend Sections 40-23-2, 40-23-61, 40-23-101 and 40-23-102, Code of Alabama 1975, which levy sales and use taxes on automotive vehicles, truck trailers, semitrailers, and house trailers, so as to increase the levy from 1 1/2% to 2% and amends Sections 40-23-35 and 40-23-108 to distribute the additional funds generated to the state general fund.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 40-23-2, Code of Alabama 1975, is hereby amended to read as follows:

Section 40-23-2.

"There is hereby levied, in addition to all other taxes of every kind now imposed by law, and shall be collected as herein provided, a privilege or license tax against the person on account of the business activities and in the amount to be determined by the application of rates against gross sales, or gross receipts, as the case may be, as follows:

(1) Upon every person, firm, or corporation, (including the state of Alabama and its alcoholic beverage control board in the sale of alcoholic beverages of all kinds, the University of Alabama, Auburn University and all other institutions of higher learning in the state, whether such institutions be denominational, state, county or municipal institutions, any association or other agency or instrumentality of such institutions) engaged or continuing within this state, in business of selling at retail any tangible personal property whatsoever, including merchandise and commodities of every kind and character, (not including, however, bonds or other evidences of debts or stocks, nor sales of material and supplies to any person for use in fulfilling a contract

for the painting, repair, or reconditioning of vessels, barges, ships and other watercraft of over 50 tons burden), an amount equal to four percent of the gross proceeds of sales of the business except where a different amount is expressly provided herein. Provided, however, that any person engaging or continuing in business as a retailer and wholesaler or jobber shall pay the tax required on the gross proceeds of retail sales of such business at the rates specified, when his books are kept so as to show separately the gross proceeds of sales of each business, and when his books are not so kept he shall pay the tax as a retailer, on the gross sales of the business.

Where any used part including tires of an automotive vehicle or a truck trailer, semitrailer or house trailer is taken in trade, or in a series of trades, as a credit or part payment on the sale of a new or rebuilt part or tire, the tax levied herein shall be paid on the net difference, that is, the price of the new or used part or tire sold less the credit for the used part or tire taken in trade, provided, however, this provision shall not be construed to include batteries.

(2) Upon every person, firm or corporation engaged or continuing within this state in the business of conducting or operating places of amusement or entertainment, billiard and pool rooms, bowling alleys, amusement devices, musical devices, theaters, opera houses, moving picture shows, vaudeville, amusement parks, athletic contests, including wrestling matches, prize fights, boxing and wrestling exhibitions, football and baseball games, (including athletic contests, conducted by or under the auspices of any educational institution within this state, or any athletic association thereof, or other association whether such institution or association be a denominational, a state, or county, or a municipal institution, or association or a state, county, or city school, or other institution, association or school), skating rinks, race tracks, golf courses, or any other place at which any exhibition, display, amusement or entertainment is offered to the public or place or places where an admission fee is charged, including public bathing places, public dance halls of every kind and description within the state of Alabama, an amount equal to four percent of the gross receipts of any such business.

(3) Upon every person, firm or corporation engaged or continuing within this state in the business of selling at retail machines used in mining, quarrying, compounding, processing and manufacturing of tangible personal property an amount equal to one and one-half percent of the gross proceeds of the sale of such machines; provided, that the term "machines," as herein used, shall include machinery which is used for mining, quarrying, compounding, processing or manufacturing tangible personal property, and the parts of such machines, attachments and replacements therefor, which are made or manufactured for use on or in the operation of such machines and which are necessary to the operation of such machines and are customarily so used.

(4) Upon every person, firm or corporation engaged or continuing within this state in the business of selling at retail any automotive vehicle or truck trailer, semitrailer or house trailer, an amount equal to ~~one and one-half~~ two percent of the gross proceeds of sale of said automotive vehicle or truck trailer, semitrailer, or house trailer, provided, however, where a person subject to the tax provided for in this subdivision withdraws from his stock in trade any automotive vehicle or truck trailer, semitrailer or house trailer for use by him or by his employee or agent in the operation of such business, there shall be paid, in lieu of the tax levied herein, a fee of \$5.00 per year or part thereof during which such automotive vehicle, truck trailer, semitrailer or

house trailer shall remain the property of such person. Each such year or part thereof shall begin with the day or anniversary date, as the case may be of such withdrawal and shall run for the 12 succeeding months or part thereof during which such automotive vehicle, truck trailer, semitrailer or house trailer shall remain the property of such person.

Where any used automotive vehicle or truck trailer, semitrailer or house trailer is taken in trade or in a series of trades, as a credit or part payment on the sale of a new or used vehicle, the tax levied herein shall be paid on the net difference, that is, the price of the new or used vehicle sold less the credit for the used vehicle taken in trade.

Sales of automobiles, trucks, truck trailers, or semitrailers that will be registered or titled outside Alabama, that are exported or removed from Alabama within 72 hours by the purchaser or his agent for first use outside Alabama are not subject to the Alabama sales tax. Sales of other vehicles such as mobile homes, motorcycles, motor bikes, all terrain vehicles, and boats do not qualify for the export exemption provision and are taxable unless the dealer can provide factual evidence that the vehicle was delivered outside of Alabama or to a common carrier for transportation outside Alabama. In order for the sale to be exempt from Alabama tax, the information relative to the exempt sale must be documented on forms approved by the Revenue Department.

Of the total \$.02 tax on each dollar of sale provided hereunder, \$.015 or 75% of the total tax generated by this paragraph (4) shall be deposited to the credit of the Alabama special educational trust fund; and \$.005, or 25% of the total tax generated by this paragraph (4) shall be deposited to the credit of the State General Fund.

(5) Upon every person, firm or corporation engaged or continuing within this state in the business of selling through coin-operated dispensing machines, food and food products for human consumption, not including beverages other than coffee, milk, milk products and substitutes therefor, there is hereby levied a tax equal to three percent of the cost of such food, food products and beverages sold through such machines, which cost for the purpose of this subdivision shall be the gross proceeds of sales of such business."

Section 2. Section 40-23-35, Code of Alabama 1975, is hereby amended to read as follows:

Section 40-23-35.

"(a) Such amount of money as shall be appropriated for each fiscal year by the legislature to the department of revenue with which to pay the salaries, the cost of operation and management of said department shall be deducted, as a first charge thereon, from the taxes collected under the provisions of this division; provided, that the expenditure of said sum so appropriated shall be budgeted and allotted pursuant to article 4 of chapter 4 of Title 41 of this Code, and limited to the amount appropriated to defray the expenses of operating said department for each fiscal year. After the payment of the expenses, so much of the amount remaining as may be necessary, after first applying all sums of money received by reason of the application of the surplus in the income tax as provided by section 40-18-58, for the replacement in the public school fund of the three-mill constitutional levy for schools and in the general fund of the one-mill levy for soldiers' relief and the two and one-half mills for general purposes lost by exemption of homestead

provided for in this division shall be first charges against the proceeds of said licenses, taxes or receipts levied or collected under this division. The comptroller, with the approval of the governor, is hereby directed to draw his warrants payable out of the total proceeds of said licenses, taxes or receipts levied or collected under this division as herein provided in such sum as shall be found necessary to take care of and replace the three-mill constitutional school levy, the one-mill soldiers' relief levy and the two and one-half mill levy for general purposes of the state ad valorem taxes lost as above set forth.

(b) If Of the amounts of such collections in any fiscal year, remaining after the payment of the expenses of administration and replacement of the amounts in the several funds as herein provided, is equal to \$4,200,000.00, the sum of \$378,000.00 there shall be paid into the treasury sums to be credited as follows:

(1) to the credit of the 67 counties of the state, to be divided and distributed as hereinafter provided, \$378,000.00;

(2) to the department of human resources, \$1,322,000.00;

If the amount of such collections in any fiscal year, remaining after the payment of expenses of administration, and the replacement of the amounts in the several funds derived from the state six and one half mill tax, as herein provided, is less than \$4,200,000.00, then an amount equal to nine percent thereof shall be paid into the treasury to the credit of the 67 counties of the state to be divided and distributed as hereinafter provided.

(c) The One-half of the amount deposited to the credit of the 67 counties as above provided, which in no one fiscal year shall exceed nine percent of the amount of collections remaining after the payment of the expenses and charges herein first required to be paid, nor shall it in any event exceed the sum of \$378,000.00 for any one fiscal year, shall be divided and distributed as follows: One half of said proceeds shall be divided and distributed proportionately among the 67 counties of the state according to the population of the said counties as shown by the last federal census as proclaimed, published or certified by the director of the bureau of the census; and one-half of said proceeds shall be divided or distributed equally among 67 counties; provided, that the funds divided and distributed to the several counties of the state as hereinabove provided for shall be used exclusively for full-time health service in cooperation with the state board of health or the federal government, and for extension services in cooperation with the Alabama agriculture extension service or the federal government, at the discretion of the county commissions of the several counties of the state. If the amount of such collections in any fiscal year, after the payment of the expenses of administration and replacement of the amounts in the several funds as herein provided, is equal to \$4,200,000.00, then the sum of \$672,000.00 shall be paid into the treasury to the credit of the state department of human resources to

(d) The amounts provided in subsection (b) for the department of human resources shall be used for general welfare purposes. For purposes of this division, "general welfare purposes" means:

(1) The administration of public assistance as set out in sections 38-2-5 and 38-4-1;

(2) Services, including supplementation and supplementary services under the federal Social Security Act, to or on behalf of persons to whom such public assistance may be given under said section 38-4-1;

(3) Services to and on behalf of dependent, neglected or delinquent children; and

(4) Investigative and referral services to and on behalf of needy persons.

~~If the amount of such collections in any fiscal year, remaining after the expenses of administration and the replacement of the amounts in the several funds derived from the state's six and one half mills tax, as herein provided, is less than \$4,200,000.00, then an amount equal to 16% thereof shall be paid into the treasury to the credit of the state department of human resources to be used for general welfare purposes. If the amount of such collections in any fiscal year, remaining after the payment of the expenses of administration and replacement of the amounts in the several funds as hereinabove provided and distributed, is greater than \$4,200,000.00 then an amount equal to one fourth of such excess shall be paid into the treasury to the credit of the state department of human resources to be used for general welfare purposes; provided, that this one fourth of such excess shall not exceed the sum of \$650,000.00 per annum; and~~

~~(e) In~~ In addition, there shall be paid, commencing on January 1, 1978, and on the first day of each fiscal quarter thereafter, to the department of human resources for a statewide, state-administered food stamp program, as authorized, by the Food Stamp Act of 1964, Public Law 88-525, 88th Congress, and amendments thereto, an amount equal to five percent of the value of ~~coupons~~ food stamp benefits issued statewide in excess of the amount paid by recipients (bonus or free stamps) during the immediate prior fiscal quarter, which sum so appropriated shall be paid quarterly to the department of human resources trust fund for administration of the food stamp program in conformity with rules and regulations promulgated by the United States department of agriculture and in conformity with sections 38-1-1 through 38-6-9. Such administrative funds shall be limited to and based on fiscal year 1976-77 administrative costs, normal inflationary increases and mandated administration requirements of the Alabama legislature and the United States department of agriculture. The department of human resources will not staff any county food stamp office at a level which exceeds the average staff-to-recipient ratios which existed in Alabama during fiscal year 1976-77. This restriction will apply in coordination with those provided hereinabove and, should conflict occur, the lesser amount of expenditure shall be required. At the end of each fiscal year, an accounting shall be made of said sum so that any unexpended and unencumbered balance of funds may be determined for the purpose of paying such balance to the Alabama special educational trust fund.

(f) The amount of the proceeds of all taxes levied by this division remaining after the payment of the expenses of administration and enforcement and the replacement in the several funds of the amount lost by any homestead exemptions and the distribution to the counties as herein provided in subsections (b) and (e), shall be paid into the Alabama special educational trust fund: except as provided in Sections 40-23-(2)4 and 40-23-61(c).

~~In this division, "general welfare purposes" means:~~

~~(1) The administration of the public assistance as set out in sections 38-2-5 and 38-4-1;~~

~~(2) Services, including supplementation and supplementary services under the federal Social Security Act, to or on behalf of persons to whom such public assistance may be given under said section 38-4-1;~~

~~(3) Services to and on behalf of dependent, neglected or delinquent children; and~~

~~(4) Investigative and referral services to and on behalf of needy persons."~~

Section 3. Section 40-23-61, Code of Alabama 1975, is hereby amended to read as follows:

Section 40-23-61.

"(a) An excise tax is hereby imposed on the storage, use or other consumption in this state of tangible personal property, not including, however, materials and supplies bought for use in fulfilling a contract for the painting, repairing or reconditioning of vessels, barges, ships and other watercraft of more than 50 tons burden, purchased at retail on or after October 1, 1965, for storage, use or other consumption in this state at the rate of four percent of the sales price of such property or the amount of tax collected by the seller, whichever is greater; provided, however, when the seller follows the department of revenue's suggested use tax brackets and his records prove that his following said brackets resulted in a net undercollection of tax for the month, he may report the tax due or tax collected, whichever is less, except as provided in subsections (b) and (c) of this section.

(b) An excise tax is hereby imposed on the storage, use or other consumption in this state of any machines used in mining, quarrying, compounding, processing and manufacturing of tangible personal property, purchased at retail on or after October 1, 1965, at the rate of one and one-half percent of the sales price of any such machine or the amount of tax collected by the seller, whichever is greater; provided, however, when the seller follows the department of revenue's suggested use tax brackets and his records prove that his following said brackets resulted in a net undercollection of tax for the month, he may report the tax due or tax collected, whichever is less; provided, that the term "machine," as herein used, shall include ~~machinery~~ which is used for mining, quarrying, compounding, processing or manufacturing tangible personal property, and the parts of such machines, attachments and replacements therefor, which are made or manufactured for use on or in the operation of such machines and which are necessary to the operation of such machines and are customarily so used.

(c) An excise tax is hereby imposed on the storage, use or other consumption in this state of any automotive vehicle or truck trailer, semitrailer or house trailer purchased at retail on or after October 1, 1965, for storage, use or other consumption in this state at the rate of ~~one and one-half~~ two percent of the sales price of such automotive vehicle, truck trailer, semitrailer or house trailer or the amount of tax collected by the seller, whichever is greater; provided, however, when the seller follows the department of revenue's suggested use tax brackets and his records prove that his following said brackets resulted in a net undercollection of tax for the month, he may report the tax due or tax collected, whichever is less. Where any used automotive vehicle or truck trailer, semitrailer or house trailer is taken in trade, or in a series of trades, as a credit or part payment on the sale of a new or used vehicle, the tax levied herein shall be paid on the net difference, that is, the price of the new or used vehicle sold less the credit for the used vehicle taken in trade.

Of the total \$.02 tax on each dollar of sale provided hereunder, \$.015 or 75% of the total tax generated by this paragraph (c) shall be deposited to the credit of the Alabama special educational trust fund; and \$.005, or

25% of the total tax generated by this paragraph (c) shall be deposited to the credit of the State General Fund.

(d) Every person storing, using or otherwise consuming in this state tangible personal property purchased at retail shall be liable for the tax imposed by this article, and the liability shall not be extinguished until the tax has been paid to this state; provided, that a receipt from a retailer maintaining a place of business in this state or a retailer authorized by the department, under such rules and regulations as it may prescribe, to collect the tax imposed hereby and who shall for the purpose of this article be regarded as a retailer maintaining a place of business in this state, given to the purchaser in accordance with the provisions of section 40-23-67, shall be sufficient to relieve the purchaser from further liability for tax to which such receipt may refer.

(e) An excise tax is hereby imposed on the classes of tangible personal property, and at the rates imposed on such classes, specified in subsections (a), (b) and (c) of this section, on the storage, use or other consumption in the performance of a contract in this state of any such tangible personal property, new or used, the tax to be measured by the sales price of the fair and reasonable market value of such tangible personal property when put into use in this state, whichever is less; provided, that the tax imposed by this subsection shall not apply where the taxes imposed by subsections (a), (b) or (c) of this section apply."

Section 4. Section 40-23-101, Code of Alabama 1975, is hereby amended to read as follows:

Section 40-23-101.

~~"There is hereby levied and shall be collected as herein provided a sales tax on the sale of any automotive vehicle, truck trailer, semitrailer and house trailer required to be registered or licensed with the judge of probate of any county in this state and purchased other than at wholesale in this state from any person, firm or corporation which is not a licensed dealer engaged in selling automotive vehicles, truck trailers, semitrailers or house trailers, as follows:~~

~~Commencing on and after July 1, 1981, upon~~ upon every person, firm or corporation purchasing other than at wholesale within this state, any automotive vehicle, truck trailer, semitrailer or house trailer required to be registered or licensed with the judge of probate of any county in this state from any person, firm or corporation which is not a licensed dealer engaged in selling automotive vehicles, truck trailers, semitrailers or house trailers an amount equal to ~~one and one half~~ two percent of the purchase price."

Section 5. Section 40-23-102, Code of Alabama 1975, is hereby amended to read as follows:

Section 40-23-102.

~~"There is hereby levied and shall be collected as herein provided in lieu of the excise tax levied by subsection (c) of section 40-23-61, an excise or use tax on the storage, use or other consumption in the state of any automotive vehicle, truck trailer, semitrailer or house trailer required to be registered or licensed with the judge of probate of any county in this state and purchased other than at wholesale outside the state on or after July 1, 1981, for storage, use or other consumption in this state as follows:~~

~~Commencing on and after July 1, 1981, upon~~ upon every person, firm or corporation purchasing other than at wholesale outside the state any

automotive vehicle, truck trailer, semitrailer or house trailer required to be registered or licensed with the judge of probate of any county in this state for use, storage or other consumption within this state there is levied in lieu of the excise tax levied by subsection (c) of section 40-23-61, a tax in an amount equal to ~~one and one-half~~ two percent of the purchase price."

Section 6. Section 40-23-108, Code of Alabama 1975, is hereby amended to read as follows:

Section 40-23-108.

"The tax collector shall, after the deduction of the fee as provided in section 40-23-107, remit the revenue collected hereunder to the department of revenue for deposit as follows:

Of the total \$.02 tax on each dollar of sale, \$.015 or 75% of the total tax generated shall be deposited to the credit of the Alabama special educational trust fund; and \$.005, or 25% of the total tax generated shall be deposited to the credit of the State General Fund."

Section 7. The provisions of this Act are severable. If any part of this Act is declared unconstitutional or invalid, such declaration shall not affect the part which remains.

Section 8. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 9. This Act shall become effective on October 1, 1988.

Also:

Amend House Bill 18 on Page 4, line 21, by adding after the word automobiles the following: "motorcycles,"

Further amend House Bill 18 on Page 4, line 26, by deleting the following "motorcycles,"

And said Bill, H. B. 18, as thus amended by the Report of the Committee on Conference was again read and passed.

And said Bill, H. B. 18, together with the Report of the Committee on Conference, is herewith sent to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE AND CONFERENCE MESSAGE

On motion of Senator Drinkard, the Senate concurred in and adopted the Report of the Committee on Conference appointed to reconcile the disagreement of the two Houses on the Senate amendment to the Bill, H. B. 18, the title of which and said Conference Report are set out in the foregoing Message from the House.

Yeas 23; Nays 4.

Yeas:

Senators:	Campbell	Drinkard	Horn
Amari	Covington	Ellis	Langford
Barron	deGraffenried	Figures	Menton
Bedsole	Denton	Foshee	Preuitt
Bennett	Dial	Goodwin	Rice
Cabaniss	Dixon	Hale	Smith (B)

Nays:

Senators:
Bedford

Corbett

Mitchem

Smith (J)

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MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 16. To amend Section 37-1-47 of the Code of Alabama 1975, relating to Public Service Commission intervention in certain federal proceedings, so as to provide further for participation in federal proceedings by the Public Service Commission.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill:

H. 34. To make an appropriation for the support and maintenance of the Special Schools for Special Education for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

said Conference Report being in words and figures as follows:

REPORT OF COMMITTEE ON CONFERENCE FOR H. B. 34

We, the Committee of Conference appointed to reconcile the differences between the two Houses concerning House Bill 34, have met and considered the matter referred and beg leave to report as follows:

Said Conference Committee recommends House Bill 34 pass as reported by the Senate.

Conferees on part of the House,
TAYLOR HARPER,
YVONNE KENNEDY,
DEWAYNE FREEMAN.

Conferees on part of the Senate,
JOHN RICE,
GERALD DIAL.

CONFERENCE COMMITTEE SUBSTITUTE FOR H. B. 34

A BILL TO BE ENTITLED AN ACT

To make an appropriation for the support and maintenance of the Special Schools for Special Education for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. There is hereby appropriated for the fiscal year ending September 30, 1989, the sum of one million eight hundred sixty-nine thousand five hundred nineteen dollars (\$1,869,519) out of the funds in the Alabama Special Educational Trust Fund to be used for the support and maintenance of the Special Schools for Special Education and to be distributed by the State Board of Education as follows:

(a) Butler County Training School for the Mentally Retarded in Greenville	25,875
(b) Hope Haven School in Colbert County	35,000
(c) Montgomery Institute for Neurological Development	25,875
(d) Birmingham Training Center for Brain-Injured Children ..	36,225
(e) Houston County Board of Education for the Vaughn-Blumberg Center for the Developmentally Disabled	51,750
(f) Alice Pigman School	77,625
(g) Geneva County Day Care and Training Center	51,750
(h) McGraw Activity Center	51,750
(i) Dallas County Day Care and Training Center	51,750
(j) Calhoun County Community—"EDUCATION PAR EXCELLENCE"	51,750
(k) North Talladega County Association for Retarded Citizens, Inc.	25,875
(l) South Talladega County Association for Retarded Citizens, Inc.	25,875
(m) ECHO FOUNDATION	15,525

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(n) Vivian B. Adams School	284,625
(o) McInnis School of Montgomery	414,000
(p) Alan Cott School	103,500
(q) Alabama Institute for Deaf and Blind	371,769
(r) Madison Park Hope Center	20,000
(s) Dee Day School—Cherokee County	25,000
(t) Clay County Learning Center—Clay County	25,000
(u) Jackson-DeKalb County Special School for the Retarded at Northeast Junior College	39,000
(v) Childrens' Hands-On Museum in Tuscaloosa	35,000
(w) Valley Haven School	25,000

Section 2. Prior to release of any funds appropriated under this bill for fiscal year 1988-89, an operations plan for fiscal year 1987-88 and an audited financial statement for all operations during fiscal year 1986-87 must be forwarded to the Director of Finance. It is the intent to release fiscal year 1988-89 funds following receipt of these reports.

Section 3. The provisions of this Act are severable. If any section, paragraph, clause, provision, or item of this Act be held unconstitutional, such declaration shall not affect any portion that remains.

Section 4. This act shall become effective on October 1, 1988.

And said Bill, H. B. 34, as thus amended by the Report of the Committee on Conference was again read and passed.

And said Bill, H. B. 34, together with the Report of the Committee on Conference, is herewith sent to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE AND CONFERENCE MESSAGE

On motion of Senator Rice, the Senate concurred in and adopted the Report of the Committee on Conference appointed to reconcile the disagreement of the two Houses on the Senate amendment to the Bill, H. B. 34, the title of which and said Conference Report are set out in the foregoing Message from the House.

Yeas 28; Nays 0.

Yeas:

Senators:	Covington	Foshee	Menton
Amari	deGraffenried	Goodwin	Mitchem
Bailey	Denton	Hale	Preuitt
Bedford	Dial	Hand	Rice
Bedsole	Dixon	Holmes	Sanders
Bishop	Drinkard	Horn	Smith (B)
Cabaniss	Figures	Manley	Smith (J)
Campbell			

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Nays:

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MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill:

H. 142. To amend section 32-7-4, Code of Alabama 1975, relating to fees for abstracts of driving records, so as to increase the fee for an abstract of a driving record from \$4.00 to \$5.50.

said Conference Report being in words and figures as follows:

REPORT OF CONFERENCE COMMITTEE FOR H. B. 142

We, the Committee on Conference, appointed to reconcile the differences of the two houses concerning House Bill 142, have met in conference and have agreed to accept the attached substitute which is made a part of this report as is fully set out herein.

BOBBY C. CROW,
BOB HARVEY,
STEVE FLOWERS,

Conferees on the Part of the House.

FRED HORN,
EARL GOODWIN,
CHARLES D. LANGFORD,
Conferees on the Part of the Senate.

CONFERENCE COMMITTEE SUBSTITUTE FOR H. B. 142**A BILL
TO BE ENTITLED
AN ACT**

To amend section 32-7-4, Code of Alabama 1975, relating to fees for abstracts of driving records, so as to increase the fee for an abstract of a driving record from \$4.00 to \$5.75.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 32-7-4, Code of Alabama 1975, is hereby amended to read as follows:

“Section 32-7-4.

“The director shall upon request furnish any person an abstract of the operating record of any person subject to the provisions of this chapter, which abstract shall also fully designate the motor vehicle, if any, registered in the name of such person, and, if there shall be no record of any convictions of such person of violating any law relating to the operation of a motor vehicle or any injury or damage caused by such person, the director shall so certify. The director shall collect for such abstract the sum of ~~\$4.00~~ \$5.75.”

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And said Bill, H. B. 142, as thus amended by the Report of the Committee on Conference was again read and passed.

And said Bill, H. B. 142, together with the Report of the Committee on Conference, is herewith sent to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE AND CONFERENCE MESSAGE

On motion of Senator Hand, the Senate concurred in and adopted the Report of the Committee on Conference appointed to reconcile the disagreement of the two Houses on the Senate amendment to the Bill, H. B. 142, the title of which and said Conference Report are set out in the foregoing Message from the House.

Yeas 28; Nays 1.

Yeas:

Senators:	Covington	Figures	Manley
Bailey	deGraffenried	Foshee	Menton
Barron	Denton	Goodwin	Mitchem
Bedsole	Dial	Hale	Rice
Bennett	Dixon	Hand	Sanders
Bishop	Drinkard	Holmes	Smith (B)
Cabaniss	Ellis	Langford	Smith (J)
Campbell			

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Nay: Senator Bedford

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MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying Message from His Excellency, the Governor, proposing an amendment to the Bill:

H. 42. To provide for the creation of a special account to which the Legislature shall appropriate certain funds to prevent proration of the Alabama Special Educational Trust Fund; to prescribe criteria and procedures for withdrawals from such account in years of proration or in emergency situations as may be determined by the Legislature; to make annual appropriations to such account until a certain amount is established and to provide that such amount shall be maintained in separate trust from year to year except during years of proration in the Alabama Special Educational Trust Fund and in emergencies; to prescribe procedures and criteria for reimbursement to such account after withdrawals; to provide for an effective date; and to repeal conflicting provisions.

said Governor's Message being in words and figures as follows, to-wit:

MESSAGE FROM THE GOVERNOR

To The House of Representatives of Alabama
Alabama State House
Montgomery, Alabama

Ladies and Gentlemen:

I transmit herewith to you a message from the Governor, returning House Bill No. 42, without the Governor's signature and with a suggested Executive Amendment.

Done this 22nd day of September, 1988.

Respectfully submitted,
JAMES F. REDDOCH, JR.,
Executive Secretary.

MESSAGE FROM THE GOVERNOR

To The House of Representatives of Alabama
Alabama State House
Montgomery, Alabama

Ladies and Gentlemen:

I am returning to you, the body in which it originated, House Bill No. 42, without my signature, but with the following suggested Executive Amendment:

EXECUTIVE AMENDMENT TO HOUSE BILL NUMBER 42:

On page 1, line 13, after the semi-colon and continuing on to line 14, delete the words "~~to provide for the retention of accrued interest~~,".

On page 2, line 13, delete the words "~~including accrued interest~~".

On page 3, lines 14 through 17, delete Section 6 in its entirety and renumber all subsequent sections accordingly.

The adoption of the above suggested Executive Amendment will remove my objections to this bill.

Done on this the 22nd day of September, 1988.

Respectfully,

GUY HUNT,
Governor.

And the House has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, H. B. 42, by a vote of a majority of those voting, said vote being: Yeas 92, Nays 1.

And said Bill, H. B. 42, as thus amended by the Executive amendment, was again read at length and passed by a vote of a majority of the whole number elected to the House, said vote being: Yeas 91, Nays 1.

And said Bill, H. B. 42, together with Executive amendment, is herewith sent to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE

Senator Manley moved that the Senate concur in and adopt the amendment proposed by His Excellency, the Governor, to the Bill, H. B. 42, the title of which and said Executive amendment are set out in the foregoing Message from the House.

Senator Bedford moved that further consideration of the foregoing Executive Amendment to the Bill, H. B. 42, be postponed subject to the call of the Chair.

Senator Manley moved that the motion to postpone be laid on the table, which motion was lost.

The question recurred on the motion of Senator Bedford, which was adopted, and further consideration of the Executive Amendment to H. B. 42 was postponed subject to the call of the Chair.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 8. To amend section 13A-6-4, Code of Alabama 1975, to provide that criminally negligent homicide is a Class C felony.

Also:

S. 126. To amend Section 22-27-5, Code of Alabama 1975, as amended, relating to solid waste disposal fees, permits and bonds, so as to prescribe certain minimum surety bond requirements for out-of-state shippers of household garbage, in order to protect the health, safety and welfare of the citizens of this state.

BILL DRINKARD,
Chairperson.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing report from the Committee on Rules.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 44. To require pipeline facilities transporting hazardous liquids and/or liquified natural gas (LNG) and facilities used in the liquification of natural gas to comply with certain standards of safety; granting certain additional rights, powers and authority to the Alabama Public Service Commission to carry out the purposes of this Act; prescribing jurisdictions of courts for injunction proceedings; and prescribing monetary sanctions for violations of certain standards of safety.

Also:

S. 53. Authorizing and empowering the state highway department to set speed limits in urban and rural construction zones along state and interstate highways.

Also:

S. 222. Relating to Franklin County; authorizing and providing for the incorporation of the Franklin County Water Coordinating and Fire Prevention Authority, as a public corporation for the purpose of furnishing water service

and fire protection facilities; providing that the service area specified in the original certificate of incorporation of such authority shall lie within the boundaries of the county in which it is incorporated, but that the said service area may be extended into one or more other counties by amendment to the certificate of incorporation; providing for and authorizing the certificate of incorporation and by-laws of such authority to be amended at any time and from time to time; providing for the appointment, election and compensation of directors of such authority; providing for the powers, authorities and duties of such authority and its board of directors; providing for the development of a master plan for said authority; authorizing such authority to acquire, construct, operate and improve one or more waterworks plants, water distribution systems or fire protection facilities, or any combination of any thereof; providing for cooperation with existing water systems and any county and city governments and any council of local government; conferring on such authority the power of eminent domain; making provisions respecting the establishment, revision and collection of charges for water service and fire protection facilities or service, or either, rendered by it; authorizing and providing for the assumption by such authority of obligations respecting systems and facilities, or parts thereof, acquired by the authority; providing that contracts entered into by such authority pursuant to this act shall not constitute or create a debt of the state or of any county, municipality or political subdivision of the state; providing that any county, municipality, other political subdivision, public corporation, or agency or instrumentality of this state may aid and cooperate with, lend or donate money to, perform services for the benefit of, and, without the necessity of an election and with or without consideration, transfer any water system, fire protection facility, or other property to such authority; providing that the rendition by such authority of water service or facilities or of fire protection service or facilities is a governmental function and to exempt such authority from all tort liability in connection with water services or facilities or with fire protection services or facilities; exempting from all taxation in this state such authority, its property, corporate activities, income, revenues, and securities, the income from its securities, conveyances, leases, and mortgages and deeds of trust to which such authority is a party, and exempting such authority from payment of certain charges to judges of probate; exempting the authority and the contracts made by it from all competitive bid laws; providing that such authority shall be exempted from regulation and supervision by the public service commission and the state department of finance; providing for the use of public roads in the state by such authority; providing for the dissolution of such authority and the disposition of its property; providing that any public corporation may convey its assets, with or without pecuniary consideration, to such authority; providing for auditing; and providing that funds of said authority may be used to aid in applying for available grants.

BILL DRINKARD,
Chairperson.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing report from the Committee on Rules.

FURTHER CONSIDERATION OF H. B. 27

The Senate proceeded to further consideration of the Bill, H. B. 27. The question was on the Horn substitute, as amended by the Holmes substitute, as amended.

Senator Bailey offered the following amendment to the Horn substitute, as amended by the Holmes substitute, as amended, to-wit:

**AMENDMENT TO SUBSTITUTE, AS AMENDED BY SUBSTITUTE,
AS AMENDED, FOR H. B. 27**

Amend the Substitute, as amended by Substitute, as amended, for H. B. 27, on page 11, lines 9 and 35 by striking the figure "9,225,878" and substitute in lieu thereof the figure "7,425,878"; Further amend on page 11, line 6 by striking the figure "3,232,872" and substitute in lieu thereof the following "1,432,872"; Further amend on page 11, line 35, by striking the figure "19,537,782" and substitute in lieu thereof the figure "17,737,782"; Further amend on page 18 lines 20 and 24 by striking the figure "125,000" and substitute in lieu thereof the figure "275,000"; Further amend on page 18, lines 14 and 24 by striking the figure "301,909" and substitute in lieu thereof the figure "451,909"; Further amend on page 22 line 24 by striking the figure "98,599,457" and substitute in lieu thereof the figure "100,092,457"; Further amend on page 23 line 18 and on page 24 line 12 by striking the figure "104,143,074" and substitute in lieu thereof "105,636,074"; Further amend on page 24 line 12 by striking the figure "128,392,374" and substitute in lieu thereof the figure "129,885,374".

Further amend on page 84, lines 17 and 23 by deleting the figure "2,243,000" and inserting in lieu thereof the figure "2,400,000".

Further amend on page 84, line 25 by deleting the figure "2,860,977" and inserting in lieu thereof the figure "3,017,977".

On motion of Senator Hand, said amendment was laid on the table.

Yeas 18; Nays 14.

Yeas:

Senators:	Covington	Ellis	Mitchem
Barron	deGraffenried	Foshee	Preuitt
Bedford	Denton	Hale	Rice
Bedsole	Dial	Hand	Smith (B)
Cabaniss	Drinkard	Manley	

—18

Nays:

Senators:	Campbell	Goodwin	Parsons
Amari	Corbett	Holmes	Sanders
Bailey	Dixon	Horn	Smith (J)
Bennett	Figures	Langford	

—14

Senator Goodwin offered the following amendment to the Horn substitute, as amended by the Holmes substitute, as amended, for the Bill, H. B. 27, to-wit:

**AMENDMENT TO SUBSTITUTE, AS AMENDED BY SUBSTITUTE,
AS AMENDED, FOR H. B. 27**

Amend the Substitute, as amended by Substitute, as amended, for H. B. 27 on page 15 line 23 by striking "5,182,171" and inserting in lieu thereof "5,549,265"

Further amend on page 15 line 32 by striking "5,732,171" and inserting "6,099,265"

Further amend on page 15 line 18 by striking "6,215,493" and inserting "6,582,587"

Further amend on line 32 by striking "6,820,493" and inserting "7,187,580"

Further amend on page 27 line 14 by striking "4,528,309" and inserting "4,161,215"

Further amend on page 27 line 18 by striking "4,428,309" and inserting "4,061,215"

Further amend on page 27 line 28 by striking 4,788,809 and "4,888,809" and inserting "4,421,715" and "4,521,715"

Senator Hand moved that said amendment be laid on the table, which motion was lost.

Yeas 13; Nays 16.

Yeas:

Senators:	deGraffenried	Hand	Preuitt	
Barron	Dial	Holmes	Rice	
Bedsole	Dixon	Manley	Smith (B)	
Cabaniss	Hale			—13

Nays:

Senators:	Campbell	Drinkard	Langford	
Amari	Corbett	Figures	Parsons	
Bedford	Covington	Foshee	Sanders	
Bennett	Denton	Goodwin	Smith (J)	
Bishop				—16

And said amendment was then adopted.

Yeas 15; Nays 14.

Yeas:

Senators:	Bishop	Figures	Langford	
Amari	Campbell	Foshee	Parsons	
Bedford	Corbett	Goodwin	Sanders	
Bennett	Covington	Horn	Smith (J)	—15

Nays:

Senators:	deGraffenried	Hand	Preuitt	
Barron	Dial	Holmes	Rice	
Bedsole	Dixon	Manley	Smith (B)	
Cabaniss	Hale	Mitchem		—14

Senator Parsons offered the following amendment to the Horn substitute, as amended by the Holmes substitute, as amended, for the Bill, H. B. 27, to-wit:

**AMENDMENT TO SUBSTITUTE, AS AMENDED BY SUBSTITUTE,
AS AMENDED, FOR H. B. 27**

Amend the Substitute, as amended by Substitute, as amended, for H. B. 27 on page 42 by deleting lines 25 to 30 in their entirety.

Further amend on page 44 after line 8 by inserting the following new line:

“(d) Perinatal and Related SOBRA
Programs 1,562,900”.

Further amend on page 44, lines 10 and 32 by deleting the figure “24,845,546” and inserting in lieu thereof the figure “26,408,446”.

Further amend on page 44, line 32 by deleting the figure “120,965,162” and inserting in lieu the figure “122,528,062”.

On motion of Senator Hand, said amendment was laid on the table.

Yeas 21; Nays 11.

Yeas:

Senators:	deGraffenried	Foshee	Mitchem
Barron	Denton	Hale	Preuitt
Bedsole	Dial	Hand	Rice
Bishop	Dixon	Manley	Smith (B)
Cabaniss	Drinkard	Menton	Smith (J)
Covington	Ellis		

—21

Nays:

Senators:	Bennett	Goodwin	Langford
Bailey	Corbett	Holmes	Parsons
Bedford	Figures	Horn	Sanders

—11

Senator Bailey offered the following amendment No. 2 to the Horn substitute, as amended by the Holmes substitute, as amended, for the Bill, H. B. 27, to-wit:

**AMENDMENT NO. 2 TO SUBSTITUTE, AS AMENDED BY
SUBSTITUTE, AS AMENDED, FOR H. B. 27**

Amend the Substitute, as amended by Substitute, as amended, for H. B. 27, on page 11, lines 9 and 35 by striking the figure “9,225,878” and substitute in lieu thereof the figure “7,925,878”; Further amend on page 11, line 6 by striking the figure “3,232,872” and substitute in lieu thereof the following “1,932,872”; Further amend on page 11, line 35, by striking the figure “19,537,782” and substitute in lieu thereof the figure “18,237,782”; Further amend on page 18 lines 20 and 24 by striking the figure “125,000” and substitute in lieu thereof the figure “275,000”; Further amend on page 18, lines 14 and 24 by striking the figure “301,909” and substitute in lieu thereof the figure “451,909”; Further amend on page 22 line 24 by striking the figure “98,599,457” and substitute in lieu thereof the figure “99,592,457”; Further amend on page 23 line 18 and on page 24 line 12 by striking the figure “104,143,074” and substitute in lieu thereof “105,136,074”. Further amend on page 24 line 12 by striking the figure “128,392,374” and substitute in lieu thereof the figure “129,385,374”.

Further amend on page 84, lines 17 and 23 by deleting the figure “2,243,000” and inserting in lieu thereof the figure “2,400,000”.

Further amend on page 84, line 25 by deleting the figure “2,860,977” and inserting in lieu thereof the figure “3,017,977”.

Which was adopted.

Senator Bennett offered the following amendment to the Horn substitute, as amended by the Holmes substitute, as amended, for the Bill, H. B. 27, to-wit:

**AMENDMENT TO SUBSTITUTE, AS AMENDED
BY SUBSTITUTE, AS AMENDED, FOR H. B. 27**

Amend the substitute, as amended by substitute, as amended, for H. B. 27 on page 89 after line 14 by inserting the following:

“(b) Training of Election Officials,
Estimated 65,000

For payment of expenses pursuant to the court order entered by the U.S. District Court, Middle District of Alabama in Civil Action No. 84-T-595-N.”

Further amend on page 89, lines 14, 16 and 20 by deleting the figure “2,500,000” and inserting in lieu thereof the figure “2,435,000”.

Which was adopted.

Senator Figures offered the following amendment to the Horn substitute, as amended by the Holmes substitute, as amended, for the Bill, H. B. 27, to-wit:

**AMENDMENT TO SUBSTITUTE, AS AMENDED BY
SUBSTITUTE, AS AMENDED, FOR H. B. 27**

Amend the Horn substitute, as amended by the Holmes substitute, as amended, for H. B. 27 on page 6 lines 6, 8, 9 by striking the figure “4,245,300” and inserting in lieu thereof the figure “4,455,494”.

Further amend the bill on page 30 line 12 by striking the figure “33,830,574” and insert in lieu thereof “33,620,380”

Further amend the bill on page 30 line 24 and line 35 by striking the figure “5,933,079” and inserting in lieu thereof “5,722,885”

Further amend the bill on page 30 line 35 by striking the figure “142,717,570” and inserting in lieu thereof “142,507,376”.

Which was lost.

Yeas 14; Nays 16.

Yeas:

Senators:	Corbett	Foshee	Manley	
Amari	deGraffenried	Goodwin	Sanders	
Bailey	Ellis	Hale	Smith (J)	
Bedford	Figures	Langford		—14

Nays:

Senators:	Campbell	Dixon	Mitchem	
Barron	Covington	Drinkard	Preuitt	
Bedsole	Denton	Hand	Rice	
Bishop	Dial	Holmes	Smith (B)	
Cabaniss				—16

Senator deGraffenried offered the following amendment to the Horn

substitute, as amended by the Holmes substitute, as amended, for the Bill, H. B. 27, to-wit:

**AMENDMENT TO SUBSTITUTE, AS AMENDED BY
SUBSTITUTE, AS AMENDED, FOR H. B. 27**

Amend the substitute, as amended by the substitute, as amended, for House Bill 27 on page 60 line 10 by striking the figure "59,527,300" and substitute in lieu thereof the figure "60,527,300"; Further amend on page 60, line 16 by striking the figure "85,844,000" and substitute in lieu thereof the figure "86,844,000"; Further amend on page 60, line 35 by striking the figures: "161,965,405" and "220,690,032" and substitute in lieu thereof the figures "162,965,405" and "221,690,032", respectively.

Which was adopted.

Senator Hand offered the following amendment to the Horn substitute, as amended by the Holmes substitute, as amended, for the Bill, H. B. 27, to-wit:

**AMENDMENT TO SUBSTITUTE, AS AMENDED BY
SUBSTITUTE, AS AMENDED, FOR H. B. 27**

Amend House Bill 27 as it may be substituted and/or amended by inserting a new Section 9 on Page 102, line 27, and renumbering the existing Section 9 and other remaining sections accordingly; new Section 9 to read as follows:

Section 9. In the event there are State General Fund monies available in excess of appropriations made from the State General Fund for the fiscal year ending September 30, 1989, there is hereby appropriated such funds on a prorata basis to any and all departments, boards, bureaus, commissions, agencies, offices or institutions enumerated in this Act their prorata share of said excess available funds; provided that "prorata basis" shall mean such proportion each State General Fund appropriation in this Act bears to the total State General Fund appropriation in this Act. The State Budget Officer shall advise the Finance Director that such conditions exist and shall calculate and provide to the Finance Director the amount that each department, board, bureau, commission, agency, office or institution should receive. Said amounts shall be appropriated, allocated and made available to each such agency as recommended by the Finance Director and approved by the Governor.

Which was adopted.

Senator Hand then offered the following amendment No. 2 to the Horn substitute, as amended by the Holmes substitute, as amended, for the Bill, H. B. 27, to-wit:

**AMENDMENT NO. 2 TO SUBSTITUTE, AS AMENDED BY
SUBSTITUTE, AS AMENDED, FOR H. B. 27**

Amend Horn substitute, as amended by Holmes substitute as amended, for H. B. 27 on page 91, Lines 18, 25 and 27 by striking the figure "1,300,000" and substituting in lieu thereof the figure "1,285,000".

Further amend on page 17, Lines 19, 21 and 23 by striking the figure "42,822" and by inserting in lieu thereof the figure "57,822".

Which was adopted.

Senator Corbett offered the following amendment to the Horn substitute, as amended by the Holmes substitute, as amended, for the Bill, H. B. 27, to-wit:

**AMENDMENT TO SUBSTITUTE, AS AMENDED BY
SUBSTITUTE, AS AMENDED, FOR H. B. 27**

Amend Horn substitute, as amended by Holmes substitute, as amended, for H. B. 27 on page 77 by striking lines 5 through 11 in their entirety.

Which was adopted.

And said Horn substitute, as amended by the Holmes substitute, as amended, was then adopted.

Yeas 24; Nays 4.

Yeas:

Senators:	Campbell	Drinkard	Manley	
Amari	Covington	Figures	Menton	
Bailey	deGraffenried	Foshee	Mitchem	
Barron	Denton	Hale	Preuitt	
Bedsole	Dial	Hand	Smith (B)	
Bishop	Dixon	Holmes	Smith (J)	
Cabaniss				—24

Nays:

Senators:	Ellis	Goodwin	Sanders	
Corbett				—4

And said Bill, H. B. 27, as thus amended by the Horn substitute, as amended by the Holmes substitute, as amended, was read a third time at length and passed.

Yeas 29; Nays 5.

Yeas:

Senators:	Campbell	Figures	Manley	
Amari	Covington	Foshee	Menton	
Bailey	deGraffenried	Hale	Mitchem	
Barron	Denton	Hand	Preuitt	
Bedsole	Dial	Holmes	Rice	
Bennett	Dixon	Horn	Smith (B)	
Bishop	Drinkard	Langford	Smith (J)	
Cabaniss	Ellis			—29

Nays:

Senators:	Corbett	Parsons	Sanders	
Bedford	Goodwin			—5

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. Butler, Hall, Freeman, Grayson, Brooks, Adams, Beasley, Beers, Biddle, Black, Blake, Blakeney, Bowling, Box, Breedlove, Britnell, Bryant,

Bugg, Burke, Buskey (JE), Buskey (JL), Campbell, Carothers, Carter, Clark (J), Clark (W), Coburn, Cosby, Crow, Curry, Davis, Dillard, Drake, Escott, Faulk, Flowers, Ford, Frazier, Fuller, Gaston, Goodwin, Gray, Grouby, Hamilton, Hammett, Harper, Harvey, Haynes, Headley, Higginbotham, Hill, Hogan, Holley, Holmes, Hooper, Johnson (RG), Johnson (RW), Junkins, Kennedy, Knight, Kvalheim, Laird, Layson, Lindsey, Logan, Marietta, Marks, Mathis, McClain, McDowell, McKee, McMillan, Melton, Mikell, Moon, Newman, Newton, Parker, Payne, Penry, Perdue, Petelos, Poole, Rains, Reed, Richardson, Rogers, Seibels, Slaughter, Spratt, Starkey, Thomas, Turner, Turnham, Venable, Walker, Warren, White (F), White (G), White (L), Williams, Willis, Wright, and Zoghby:

H. J. R. 173. COMMENDING OUR COLLEAGUE REPRESENTATIVE STEPHEN R. HETTINGER OF HUNTSVILLE, ALABAMA.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Smith (B), the Rules were suspended and the Resolution, H. J. R. 173, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 310. To amend Sections 27-4-2, 27-7-7, 27-8-5 and 27-39-6, Code of Alabama 1975, which provide for the collection of certain fees and licenses by the Commissioner of Insurance, so as to increase certain fees.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 18. To amend Sections 40-23-2, 40-23-61, 40-23-101 and 40-23-102, Code of Alabama 1975, which levy sales and use taxes on automotive vehicles, truck trailers, semitrailers, and house trailers, so as to increase the levy from 1 1/2% to 2% and amends Sections 40-23-35 and 40-23-108 to distribute the additional funds generated to the state general fund.

Also:

H. 142. To amend section 32-7-4, Code of Alabama 1975, relating to fees for abstracts of driving records, so as to increase the fee for an abstract of a driving record from \$4.00 to \$5.75.

Also:

H. 34. To make an appropriation for the support and maintenance of the Special Schools for Special Education for the fiscal year ending September

30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 173. COMMENDING OUR COLLEAGUE REPRESENTATIVE STEPHEN R. HETTINGER OF HUNTSVILLE, ALABAMA.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 310. To amend Sections 27-4-2, 27-7-7, 27-8-5 and 27-39-6, Code of Alabama 1975, which provide for the collection of certain fees and licenses by the Commissioner of Insurance, so as to increase certain fees.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

REPORT OF SECRETARY

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Bills and Senate Joint Resolutions delivered to the Governor, with the date and hour of delivery, to-wit:

S. B. 34	S. B. 98	S. B. 199
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S. B. 71	S. B. 132	S. B. 201
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Delivered to the Governor September 22, 1988, at 12:20 P.M.

S. B. 29	S. B. 202	S. B. 219
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S. B. 52	S. B. 211	S. B. 220
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S. B. 59	S. B. 214	S. B. 221
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S. B. 61	S. B. 215	S. J. R. 76
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S. B. 127	S. B. 216	S. J. R. 77
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S. B. 141	S. B. 217	
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Delivered to the Governor September 22, 1988, at 3:25 P.M.

S. B. 51	S. B. 139	S. B. 103
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S. B. 99	S. B. 140	S. B. 210
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S. B. 128	S. B. 151	S. B. 196
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S. B. 137	S. B. 165	
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S. B. 138	S. B. 193	
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Delivered to the Governor September 22, 1988, at 8:50 P.M.

S. B. 24

Delivered to the Governor September 22, 1988, at 10:04 P.M.

S. B. 8	S. B. 44	S. B. 222
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S. B. 126	S. B. 53	
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Delivered to the Governor September 22, 1988, at 10:48 P.M.

McDOWELL LEE,
Secretary of Senate.

SECRETARY'S REPORT

The foregoing report of the Secretary was read and ordered spread upon the Journal.

**REPORT OF COMMITTEE
ON RULES ON
REVISION OF THE JOURNAL**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journals of the Senate

for the Eleventh and Twelfth Legislative Days and finds same correct and containing all original entries and references thereto required by the Constitution.

BILL DRINKARD,
Chairperson.

COMMITTEE REPORT

On motion of Senator Drinkard, the foregoing report was concurred in and the Journals of the Senate for the Eleventh and Twelfth Legislative Days were approved by the Senate.

ADJOURNMENT

The hour of Midnight having arrived, on motion of Senator Drinkard, the Senate adjourned sine die.

McDOWELL LEE,
Secretary of the Senate.

ROSTER OF THE SENATE OF ALABAMA**1988**

Jim Folsom, Jr., <i>Lieutenant Governor</i>	Alabama State House, Montgomery
Ryan deGraffenried, <i>President Pro-Tem</i>	Tuscaloosa
McDowell Lee, <i>Secretary</i>	Montgomery
John D. Crawford, <i>Assistant Secretary</i>	Montgomery
Mrs. William R. Lawley, Jr., <i>Chief Clerk</i>	Montgomery
District No. 1—Lauderdale, Colbert	
Bobby Denton	P.O. Box 987 Tuscumbia 35674
District No. 2—Madison, Limestone, Lauderdale	
Jim Smith	108-A South Side Square Huntsville 35801
District No. 3—Lawrence, Morgan	
Ray Campbell	Rt. 4, Box 43 Town Creek 35672
District No. 4—Cullman, Morgan, Madison	
Don Hale	409 6th St. S.W., Cullman 35055
District No. 5—Pickens, Tuscaloosa, Walker	
Charles Bishop	P.O. Box 2328, Jasper 35501
District No. 6—Franklin, Marion, Winston, Lamar, Fayette	
Roger H. Bedford	P.O. Box 669, Russellville 35653
District No. 7—Madison	
Bill G. Smith	2009 Gallatin St., S.W. Huntsville 35801
District No. 8—Madison, Jackson, DeKalb	
Lowell R. Barron	P.O. Box 65, Fyffe 35971
District No. 9—Marshall, Blount, DeKalb	
Hinton Mitchem	P.O. Box 297, Albertville 35950
District No. 10—Etowah	
Bill Drinkard	Holy Name of Jesus Medical Center Moragne Park, Gadsden 35902
District No. 11—Elmore, Talladega, Coosa	
Jim Preuitt	P.O. Box 1063, Talladega 35160
District No. 12—Calhoun	
Donald G. Holmes	P.O. Box 3383 Oxford 36203
District No. 13—Chambers, Clay, Randolph, Cleburne, Cherokee, DeKalb	
Gerald Dial	P.O. Box 248, Lineville 36266
District No. 14—St. Clair, Shelby, Bibb	
Frank (Butch) Ellis, Jr.	P.O. Box 587 Columbiana 35051

- District No. 15—Jefferson
John E. Amari 9636 Parkway East, Birmingham 35215
- District No. 16—Jefferson
William J. Cabaniss, Jr. P.O. Box 19925
Birmingham 35219
- District No. 17—Jefferson
Mac Parsons 2027 2nd Ave. N., Birmingham 35203
- District No. 18—Jefferson
Fred Horn 900 4th St. N., Birmingham 35204
- District No. 19—Jefferson
Jim Bennett Suite 100, 130 Building
130 Vulcan Road, Birmingham 35207
- District No. 20—Jefferson
Earl F. Hilliard P.O. Box 11385, Birmingham 35202
- District No. 21—Hale, Tuscaloosa
Ryan deGraffenried, Jr. P.O. Box 2263
Tuscaloosa 35403
- District No. 22—Marengo, Clarke, Choctaw,
Washington, Monroe, Conecuh
Rick Manley P.O. Drawer U
Demopolis 36732
- District No. 23—Choctaw, Sumter, Greene, Perry,
Dallas, Wilcox, Lowndes
Henry (Hank) Sanders P.O. Box 1305, Selma 36702
- District No. 24—Dallas, Autauga, Chilton, Bibb
Earl Goodwin P.O. Box 886, Selma 36702
- District No. 25—Montgomery
Larry Dixon P.O. Box 946, Montgomery 36102
- District No. 26—Montgomery, Elmore
Charles D. Langford 352 Dexter Ave.
Montgomery 36104
- District No. 27—Tallapoosa, Lee
John Rice P.O. Box 4008, Opelika 36803
- District No. 28—Macon, Bullock, Barbour, Russell
J. Danny Corbett Rt. 7, Box 821, Phenix City 36867
- District No. 29—Henry, Houston, Geneva
Chip Bailey P.O. Box 6791, Dothan 36301
- District No. 30—Butler, Crenshaw, Pike, Dale
J. Foy Covington, Jr. Rt. 2, Newville 36353
- District No. 31—Coffee, Covington, Escambia
E. (Crum) Foshee Alabama State House
Montgomery 36130
- District No. 32—Baldwin, Mobile
Perry A. Hand P.O. Box 478, Gulf Shores 36542

District No. 33—Mobile

Michael Figures 2317 St. Stephens Rd.
Mobile 36617

District No. 34—Mobile

Ann Bedsole P.O. Box 16642, Mobile 36616

District No. 35—Mobile

William J. (Bill) Menton Rt. 2, Box 171
Irvington 36544

**STANDING COMMITTEES
OF THE
ALABAMA STATE SENATE
1988**

BANKING AND INSURANCE

Drinkard, Chairperson; Cabaniss, Vice Chairperson; Amari, Bedford, Covington, deGraffenried, Dixon, Figures, Foshee, Goodwin, Smith (J).

RULES

Drinkard, Chairperson; Smith (J), Vice Chairperson; Barron, Bedford, Bishop, Dial, Figures, Foshee, Manley, Preuitt, Smith (B).

HEALTH

Smith (J), Chairperson; Preuitt, Vice Chairperson; Bailey, Bedsole, Dial, Dixon, Drinkard, Hale, Smith (B).

FINANCE AND TAXATION

Horn, Chairperson; Barron, Deputy Chairperson.
GENERAL FUND SUBCOMMITTEE
Hand, Vice Chairperson; Amari, Bedford, Cabaniss, Denton, Ellis, Figures, Goodwin, Manley, Preuitt, Smith (B).
EDUCATIONAL FUND SUBCOMMITTEE
Ellis, Vice Chairperson; Bennett, Bishop, Covington, deGraffenried, Dial, Hand, Hilliard, Rice, Sanders, Smith (J).

ECONOMIC AFFAIRS

Amari, Chairperson; Smith (B), Vice Chairperson; Bedford, Bennett, Campbell, Corbett, Holmes, Langford, Mitchem, Parsons, Sanders.
CONSUMER AFFAIRS SUBCOMMITTEE
Bedford, Chairperson; Holmes, Sanders.
INTERNATIONAL AND DOMESTIC TRADE SUBCOMMITTEE
Smith (B), Chairperson; Campbell, Amari.

JUDICIARY

Preuitt, Chairperson; Barron, Vice Chairperson; Bailey, Bedsole, Cabaniss, Dial, Dixon, Hale, Hand, Langford, Menton, Smith (J).

GOVERNMENTAL AFFAIRS

Manley, Chairperson; Bedford, Vice Chairperson; Bishop, Campbell, Corbett, Covington, Denton, Dixon, Ellis, Hale, Holmes, Langford, Mitchem, Parsons, Sanders.
MILITARY AFFAIRS SUBCOMMITTEE
Dixon, Chairperson; Hale, Holmes.
STUDENT AFFAIRS SUBCOMMITTEE
Bedford, Chairperson; Campbell, Sanders.

NATURAL RESOURCES

Bishop, Chairperson; Foshee, Vice Chairperson; Covington, Dial, Drinkard, Menton, Preuitt.

MINING AND RECLAMATION SUBCOMMITTEE

Bishop, Chairperson; Dial, Foshee.

OIL AND GAS SUBCOMMITTEE

Menton, Chairperson; Bishop, Drinkard.

WATERWAYS SUBCOMMITTEE

Preuitt, Chairperson; Covington, Dial.

AGRICULTURE, CONSERVATION, AND FORESTRY

Bedsole, Chairperson; Mitchem, Vice Chairperson; Bailey, Barron, Bishop, Campbell, Covington, Denton, Ellis, Hale, Hand, Holmes, Menton.

COASTAL WATERS CONSERVATION SUBCOMMITTEE

Menton, Chairperson; Bedsole, Hand.

FORESTRY, FISH, AND GAME SUBCOMMITTEE

Ellis, Chairperson; Holmes, Mitchem.

PUBLIC WELFARE

Rice, Chairperson; Amari, Vice Chairperson; Bennett, Corbett, Mitchem.

COMMITTEE ON AGING SUBCOMMITTEE

Amari, Chairperson; Bennett, Rice.

EDUCATION

Bailey, Chairperson; Hand, Vice Chairperson; Barron, Bedsole, Bennett, Dial, Menton, Parsons, Preuitt, Rice, Smith (B).

BUSINESS AND LABOR RELATIONS

Foshee, Chairperson; Rice, Vice Chairperson; Barron, Cabaniss, Hand, Holmes, Langford, Mitchem, Preuitt.

COMMERCE, TRANSPORTATION, AND UTILITIES

Dial, Chairperson; Amari, Vice Chairperson; Campbell, Covington, Denton, Dixon, Ellis, Foshee, Hilliard.

STATE DEVELOPMENT AND TOURISM

deGraffenried, Chairperson; Goodwin, Vice Chairperson; Bishop, Foshee, Manley.

SMALL BUSINESS

Holmes, Chairperson; Denton, Vice Chairperson; Bedford, Corbett, Dixon, Hale, Langford.

LOCAL LEGISLATION NO. 1

Covington, Chairperson; Foshee, Vice Chairperson; Bedford, Bishop, Goodwin, Manley, Sanders.

LOCAL LEGISLATION NO. 2

Hilliard, Chairperson; Amari, Vice Chairperson; Bennett, Cabaniss, Horn, Parsons.

LOCAL LEGISLATION NO. 3

Figures, Chairperson; Menton, Vice Chairperson; Bedsole, Hand.

COMMITTEE ASSIGNMENTS FOR 1988
ALABAMA STATE SENATE

21st District

RYAN deGRAFFENRIED—Chairperson, State Development and Tourism; Banking and Insurance; Finance and Taxation (Educational Fund subcommittee).

15th District

JOHN AMARI—Chairperson, Economic Affairs (International and Domestic Trade subcommittee); Vice Chairperson, Public Welfare (Chairperson, Committee on Aging subcommittee); Vice Chairperson, Commerce, Transportation, and Utilities; Vice Chairperson, Local Legislation No. 2; Banking and Insurance; Finance and Taxation (General Fund subcommittee).

29th District

CHIP BAILEY—Chairperson, Education; Health; Judiciary; Agriculture, Conservation, and Forestry.

8th District

LOWELL BARRON—Deputy Chairperson, Finance and Taxation; Vice Chairperson, Judiciary; Rules; Agriculture, Conservation, and Forestry; Education; Business and Labor Relations.

6th District

ROGER BEDFORD—Vice Chairperson, Governmental Affairs (Chairperson, Student Affairs subcommittee); Economic Affairs (Chairperson, Consumer Affairs subcommittee); Banking and Insurance; Rules; Finance and Taxation (General Fund subcommittee); Small Business; Local Legislation No. 1.

34th District

ANN BEDSOLE—Chairperson, Agriculture, Conservation, and Forestry (Coastal Waters Conservation subcommittee); Health; Judiciary; Education; Local Legislation No. 3.

19th District

JIM BENNETT—Finance and Taxation (Educational Fund subcommittee); Economic Affairs; Public Welfare (Committee on Aging subcommittee); Education; Local Legislation No. 2.

5th District

CHARLES BISHOP—Chairperson, Natural Resources (Chairperson, Mining and Reclamation subcommittee) (Oil and Gas subcommittee); Rules; Finance and Taxation (Educational Fund subcommittee); Governmental Affairs; Agriculture, Conservation, and Forestry; State Development and Tourism; Local Legislation No. 1.

16th District

BILL CABANISS—Vice Chairperson, Banking and Insurance; Finance and Taxation (General Fund subcommittee); Judiciary; Business and Labor Relations; Local Legislation No. 2.

3rd District

RAY CAMPBELL—Economic Affairs (International and Domestic Trade subcommittee); Governmental Affairs (Student Affairs subcommittee); Agriculture, Conservation, and Forestry; Commerce, Transportation, and Utilities.

28th District

DANNY CORBETT—Economic Affairs; Governmental Affairs; Public Welfare; Small Business.

30th District

FOY COVINGTON—Chairperson, Local Legislation No. 1; Banking and Insurance; Finance and Taxation (Educational Fund subcommittee); Governmental Affairs; Natural Resources (Waterways subcommittee); Agriculture, Conservation, and Forestry; Commerce, Transportation, and Utilities.

1st District

BOBBY DENTON—Vice Chairperson, Small Business; Finance and Taxation (General Fund subcommittee); Governmental Affairs; Agriculture, Conservation, and Forestry; Commerce, Transportation, and Utilities.

13th District

GERALD DIAL—Chairperson, Commerce, Transportation, and Utilities; Rules; Health; Finance and Taxation (Educational Fund subcommittee); Judiciary; Natural Resources (Mining and Reclamation subcommittee) (Waterways subcommittee); Education.

25th District

LARRY DIXON—Banking and Insurance; Health; Judiciary; Governmental Affairs (Chairperson, Military Affairs subcommittee); Commerce, Transportation, and Utilities; Small Business.

10th District

BILL DRINKARD—Chairperson, Banking and Insurance; Chairperson, Rules; Health; Natural Resources (Oil and Gas subcommittee).

14th District

FRANK (BUTCH) ELLIS, JR.—Finance and Taxation (Vice Chairperson, Educational Fund subcommittee), (General Fund subcommittee); Governmental Affairs; Agriculture, Conservation, and Forestry (Chairperson, Forestry, Fish, and Game subcommittee); Commerce, Transportation, and Utilities.

33rd District

MICHAEL FIGURES—Chairperson, Local Legislation No. 3; Banking and Insurance; Rules; Finance and Taxation (General Fund subcommittee).

31st District

CRUM FOSHEE—Chairperson, Business and Labor Relations; Vice Chairperson, Natural Resources (Mining and Reclamation subcommittee); Vice Chairperson, Local Legislation No. 1; Banking and Insurance; Rules; Commerce, Transportation, and Utilities; State Development and Tourism.

24th District

EARL GOODWIN—Vice Chairperson, State Development and Tourism; Banking and Insurance; Finance and Taxation (General Fund subcommittee); Local Legislation No. 1.

4th District

DON HALE—Health; Judiciary; Governmental Affairs (Military Affairs subcommittee); Agriculture, Conservation, and Forestry; Small Business.

32nd District

PERRY HAND—Finance and Taxation (Vice Chairperson, General Fund subcommittee); Vice Chairperson, Education; Finance and Taxation (Educational Fund subcommittee); Judiciary; Agriculture, Conservation, and Forestry (Coastal Waters Conservation subcommittee); Business and Labor Relations; Local Legislation No. 3.

20th District

EARL HILLIARD—Chairperson, Local Legislation No. 2; Finance and Taxation (Educational Fund subcommittee); Commerce, Transportation, and Utilities.

12th District

DONALD HOLMES—Chairperson, Small Business; Economic Affairs (Consumer Affairs subcommittee); Governmental Affairs (Military Affairs subcommittee); Agriculture, Conservation, and Forestry (Forestry, Fish, and Game subcommittee); Business and Labor Relations.

18th District

FRED HORN—Chairperson, Finance and Taxation; Local Legislation No. 2.

26th District

CHARLES LANGFORD—Economic Affairs; Judiciary; Governmental Affairs; Business and Labor Relations; Small Business.

22nd District

RICK MANLEY—Chairperson, Governmental Affairs; Rules; Finance and Taxation (General Fund subcommittee); State Development and Tourism; Local Legislation No. 1.

35th District

BILL MENTON—Vice Chairperson, Local Legislation No. 3; Judiciary; Natural Resources (Chairperson, Oil and Gas subcommittee); Agriculture, Conservation, and Forestry (Chairperson, Coastal Waters Conservation subcommittee); Education.

9th District

HINTON MITCHEM—Vice Chairperson, Agriculture, Conservation, and Forestry (Forestry, Fish, and Game subcommittee); Economic Affairs; Governmental Affairs; Public Welfare; Business and Labor Relations.

17th District

MAC PARSONS—Economic Affairs; Governmental Affairs; Education; Local Legislation No. 2.

11th District

JIM PREUITT—Chairperson, Judiciary; Vice Chairperson, Health; Rules; Finance and Taxation (General Fund subcommittee); Natural Resources (Chairperson, Waterways subcommittee); Education; Business and Labor Relations.

27th District

JOHN RICE—Chairperson, Public Welfare (Committee on Aging subcommittee); Vice Chairperson, Business and Labor Relations; Finance and Taxation (Educational Fund subcommittee); Education.

23rd District

HANK SANDERS—Finance and Taxation (Educational Fund subcommittee); Economic Affairs (Consumer Affairs subcommittee); Governmental Affairs; Local Legislation No. 1.

7th District

BILL SMITH—Vice Chairperson, Economic Affairs (Chairperson, International and Domestic Trade subcommittee); Rules; Health; Finance and Taxation (General Fund subcommittee); Education.

2nd District

JIM SMITH—Chairperson, Health; Vice Chairperson, Rules; Banking and Insurance; Finance and Taxation (Educational Fund subcommittee); Judiciary.

**HOUSE OF REPRESENTATIVES
ALPHABETICAL ROSTER AND
DISTRICT NUMBER**

Charles Adams, 83	Jimmy W. Holley, 91
John P. Beasley, 85	Alvin Holmes, 78
Greg Beers, 48	Perry O. Hooper, Jr., 73
Jack Biddle, III, 43	Ronald G. Johnson, 33
Lucius Black, Sr., 67	Roy W. Johnson, Jr., 63
A. J. Blake, 42	Bobby M. Junkins, 30
Harrell Blakeney, 66	Yvonne Kennedy, 103
W. C. (Bill) Bowling, 12	Al Knight, 40
Michael E. Box, 96	Ken Kvalheim, 101
Michael M. Breedlove, 65	Richard Laird, 37
Charlie Britnell, 18	Allen Layson, 15
Morris J. (Mo) Brooks, Jr., 10	Richard J. Lindsey, 39
Jenkins Bryant, Jr., 68	Steve J. Logan, 17
June Bugg, 29	E. B. McClain, 57
Ralph Burke, 24	Bobbie G. McDowell, 56
James Buskey, 99	Bob McKee, 74
John Buskey, 77	Stephen A. McMillan, 95
Tom Butler, 6	Beth Marietta, 104
James M. Campbell, 36	Herman H. Marks, 8
Joe R. Carothers, Jr., 86	Nathan Mathis, 87
Tommy Carter, 5	Bryant Melton, 61
James S. Clark, 84	Mike Mikell, 76
William Clark, 98	Gordon R. Moon, 25
Tom Coburn, 2	Max Newman, 16
W. F. (Noopie) Cosby, Jr., 70	Demetrius C. Newton, 53
Bobby C. Crow, 35	Paul Parker, 9
Johnny L. Curry, 50	Arthur Payne, 44
Patricia Davis, 58	Walter E. Penry, Jr., 94
Ernest Dillard, 7	George Perdue, 54
Tom Drake, 11	Tony Petelos, 49
Sundra E. Escott, 60	Phil Poole, 62
Dwight Faulk, 90	T. Euclid Rains, Sr., 26
Steve Flowers, 89	Thomas Reed, 82
Joe M. Ford, 28	Ben T. Richardson, 23
Ed Frazier, 14	John W. Rogers, Jr., 52
Dewayne Freeman, 21	George G. Seibels, Jr., 47
Bill Fuller, 38	William M. Slaughter, 46
Victor Gaston, 100	Lewis G. Spratt, 59
J. W. (Joe) Goodwin, 3	Nelson R. Starkey, Jr., 1
Billy Gray, 45	James L. Thomas, 69
George W. Grayson, 19	J. E. Turner, 102
E. A. Grouby, Jr., 71	Pete Turnham, 79
Albert Hall, 22	Jack B. Venable, 31
James Harold Hamilton, 4	Claud Walker, 75
Seth Hammett, 92	James E. (Jimmy) Warren, 64
Taylor F. Harper, 105	Frank P. (Skippy) White, 93
Bob Harvey, 27	Gary White, 55
Clarence E. Haynes, 32	Lester White, 81
Lewis W. Headley, 72	R. Nolan Williams, 88
Steve Hettinger, 20	Gerald Willis, 34
G. J. Higginbotham, 80	Jim Wright, 51
Michael E. Hill, 41	Mary S. Zoghby, 97
Thomas E. Hogan, 13	

**ROSTER OF THE HOUSE OF REPRESENTATIVES
OF ALABAMA
1988**

FIRST EXTRAORDINARY SESSION

OFFICERS

JAMES S. CLARK, *Speaker*, Eufaula

JAMES M. CAMPBELL

Speaker Pro-Tem, Anniston

JOHN W. PEMBERTON, *Clerk*, Montgomery

GREG PAPPAS, *Assistant Clerk*, Montgomery

VANNAH W. NORRELL, *Chief Clerk*, Montgomery

MEMBERS OF THE HOUSE

Dist. No.	Counties	Name	Address
1	LAUDERDALE	Nelson R. Starkey, Jr.	301 North Pine St., Florence 35630
2	COLBERT	Tom Coburn	1107 East 3rd St., Tuscumbia 35674
3	COLBERT, LAUDERDALE	J. W. (Joe) Goodwin	310 Ford Road, Muscle Shoals 35661
4	LAUDERDALE, LIMESTONE	James Harold Hamilton	301 North Pine Street, Florence 35630
5	LIMESTONE	Tommy Carter	Route 2, Box 82, Elkmont 35620
6	MADISON	Tom Butler	1803 Forney Drive, Huntsville 35816
7	LAWRENCE, MORGAN	Ernest Dillard	Route 1, Box 216, Courtland 35618
8	MORGAN	Herman H. Marks	1704 Sandra Street, SW, Decatur 35601
9	MORGAN	Paul Parker	303 North Douglas Street, Hartselle 35640
10	MADISON	Morris J. (Mo) Brooks, Jr.	9009 Randall Road, Huntsville 35802
11	CULLMAN, MORGAN	Tom Drake	P.O. Box 1165, Cullman 35055

- 12 CULLMAN
W. C. (Bill) Bowling Route 2, Box 349, Hanceville 35077
- 13 WALKER
Thomas E. Hogan 300 12th Avenue, NE, Jasper 35501
- 14 TUSCALOOSA, WALKER
Ed Frazier N. 88, Hwy. 195, Jasper 35501
- 15 PICKENS, TUSCALOOSA
Allen Layson P.O. Box 910, Reform 35481
- 16 FAYETTE, LAMAR, MARION
Max Newman P.O. Box 428, Millport 35576
- 17 MARION, WINSTON
Steve J. Logan P.O. Box 576, Hamilton 35570
- 18 FRANKLIN, MARION
Charlie Britnell Route 2, Box 376, Russellville 35653
- 19 MADISON
George W. Grayson P.O. Box 38, Normal 35762
- 20 MADISON
Steve Hettinger 2207 Toll Gate, Huntsville 35801
- 21 MADISON
Dewayne Freeman 114 East Becky Circle, Huntsville 35810
- 22 JACKSON, MADISON
Albert Hall P.O. Box 275, Gurley 35748
- 23 JACKSON
Ben T. Richardson P.O. Box 1017, Scottsboro 35768
- 24 DeKALB
Ralph Burke P.O. Box 876, Fort Payne 35967
- 25 MARSHALL
Gordon R. Moon P.O. Box 265, Guntersville 35976
- 26 DeKALB, MARSHALL
T. Euclid Rains, Sr. Route 1, Box 326, Albertville 35950
- 27 BLOUNT
Bob Harvey Route 4, Box 2215, Oneonta 35121
- 28 ETOWAH
Joe M. Ford Gadsden State Community College
1001 George Wallace Dr., Gadsden 35999
- 29 ETOWAH
June Bugg 610 South 5th St., Gadsden 35901
- 30 ETOWAH, ST. CLAIR
Bobby M. Junkins 254 College St., Gadsden 35999
- 31 COOSA, ELMORE
Jack B. Venable P.O. Box 736, Tallassee 36078
- 32 TALLADEGA
Clarence E. Haynes P.O. Box 1041, Talladega 35160

- 33 TALLADEGA
Ronald G. Johnson Route 5, Box 17, Sylacauga 35150
- 34 CALHOUN
Gerald Willis Route 2, Box 286, Piedmont 36272
- 35 CALHOUN
Bobby C. Crow Route 10, Box 842, Anniston 36201
- 36 CALHOUN
James M. Campbell P.O. Box 2003, Anniston 36202
- 37 CHAMBERS, RANDOLPH, CLAY
Richard Laird 1507 Bonner, Roanoke 36274
- 38 CHAMBERS
Bill Fuller 118 South LaFayette St., LaFayette 36862
- 39 CHEROKEE, CLEBURNE, DeKALB
Richard J. Lindsey Route 2, Box 394, Centre 35960
- 40 BIBB, SHELBY
Al Knight 2421 Brook Run, Birmingham 35244
- 41 SHELBY
Michael E. Hill 301 Pitts Drive, Columbiana 35051
- 42 ST. CLAIR
A. J. Blake Route 1, Box 2109, Pell City 35125
- 43 JEFFERSON
Jack Biddle, III 2256 Pinehurst Drive, Gardendale 35071
- 44 JEFFERSON
Arthur Payne 2825 2nd Street, N.W., Birmingham 35215
- 45 JEFFERSON
Billy Gray 9229 Todd Dr., Suite 105, Birmingham 35206
- 46 JEFFERSON
William M. Slaughter 800 1st Nat'l. Southern Natural Bldg.
Birmingham 35203
- 47 JEFFERSON
George G. Seibels, Jr. 4016 10th Ave. S., Birmingham 35222
- 48 JEFFERSON
Greg Beers 1504 Verdure Circle, Birmingham 35226
- 49 JEFFERSON
Tony Petelos 1440 42nd Street W., Birmingham 35208
- 50 JEFFERSON
Johnny L. Curry 3264 Fieldale Drive, Hueytown 35023
- 51 JEFFERSON
Jim Wright P.O. Box 279, Adamsville 35005
- 52 JEFFERSON
John W. Rogers, Jr., 1424 18th St., S.W., Birmingham 35211
- 53 JEFFERSON
Demetrius C. Newton P.O. Box 2525, Birmingham 35202

- 54 JEFFERSON
George Perdue P.O. Box 2473, Birmingham 35201
- 55 JEFFERSON
Gary White 414 Yorkshire Dr., Homewood 35209
- 56 JEFFERSON
Bobbie G. McDowell 2322 Dartmouth Ave., Bessemer 35020
- 57 JEFFERSON
E. B. McClain 3826 Troy Terrace, Brighton 35020
- 58 JEFFERSON
Patricia Davis 9312 Sears Drive, Birmingham 35206
- 59 JEFFERSON
Lewis G. Spratt 3809 4th St., W., Birmingham 35207
- 60 JEFFERSON
Sundra E. Escott P.O. Box 8343, Birmingham 35218
- 61 TUSCALOOSA
Bryant Melton 5003 4th Avenue, Tuscaloosa 35405
- 62 TUSCALOOSA
Phil Poole P.O. Box 609, Moundville 35474
- 63 TUSCALOOSA
Roy W. Johnson, Jr. 4501 20th Street, NE, Tuscaloosa 35404
- 64 CONECUH, MONROE
J. E. (Jimmy) Warren P.O. Box 207, Castleberry 36432
- 65 CLARKE, WASHINGTON
Michael M. Breedlove 119 Dogwood Dr., Jackson 36545
- 66 CHOCTAW, CLARKE, MARENGO
Harrell Blakeney 1101 Old Hwy. 5 So., Thomasville 36784
- 67 CHOCTAW, GREENE, SUMTER
Lucius Black, Sr. P.O. Box 284, York 36925
- 68 DALLAS, PERRY, HALE
Jenkins Bryant, Jr. Route 1, Box 482, Newbern 36765
- 69 DALLAS, LOWNDES, WILCOX
James L. Thomas 2713 Hwy. 14E, Selma 36701
- 70 DALLAS
W. F. (Noopie) Cosby, Jr. P.O. Box 683, Selma 36702
- 71 AUTAUGA, CHILTON
E. A. Grouby, Jr. P.O. Box 188, Prattville 36067
- 72 BIBB, CHILTON
Lewis W. Headley P.O. Box 1610, Clanton 35045
- 73 MONTGOMERY
Perry O. Hooper, Jr. 503 S. Court St., Suite 320
Montgomery 36111
- 74 MONTGOMERY
Bob McKee P.O. Box 424, Montgomery 36101

- 75 MONTGOMERY
 Claud Walker P.O. Box M, Montgomery 36105
- 76 ELMORE, MONTGOMERY
 Mike Mikell 3920 Chapman Rd., Millbrook 36054
- 77 MONTGOMERY
 John Buskey P.O. Box 6216, Montgomery 36106
- 78 MONTGOMERY
 Alvin Holmes P.O. Box 6064, Montgomery 36106
- 79 LEE
 Pete Turnham Box 1592, Auburn 36830
- 80 LEE
 G. J. Higginbotham P.O. Box 2545, Opelika 36803
- 81 TALLAPOOSA
 Lester White 739 Freeman St., Dadeville 36853
- 82 BULLOCK, MACON
 Thomas Reed P.O. Drawer EE, Tuskegee Institute 36088
- 83 RUSSELL
 Charles Adams P.O. Box 967, Phenix City 36867
- 84 BARBOUR, RUSSELL
 James S. Clark P.O. Box 71, Eufaula 36027
- 85 HENRY, HOUSTON
 John P. Beasley P.O. Drawer M, Columbia 36319
- 86 HOUSTON
 Joe R. Carothers, Jr. Route 8, Box 33, Dothan 36301
- 87 GENEVA, HOUSTON
 Nathan Mathis Route 1, Newton 36352
- 88 DALE
 R. Nolan Williams Troy State University at Dothan
 P.O. Box 6947, Dothan 36302
- 89 PIKE, DALE
 Steve Flowers P.O. Box 973, Troy 36081
- 90 BUTLER, CRENSHAW
 Dwight Faulk Route 2, Box 90, Honoraville 36042
- 91 COFFEE
 Jimmy W. Holley Route 2, Box 254E, Elba 36323
- 92 COVINGTON
 Seth Hammett P.O. Box 1607, Andalusia 36420
- 93 ESCAMBIA
 Frank P. (Skippy) White Rt. 1, Box 427—Pollard
 Flomaton 36441
- 94 BALDWIN
 Walter E. Penry, Jr. Rt. 2, Box 286, Daphne 36526

- 95 **BALDWIN**
Stephen A. McMillan P.O. Box 337, Bay Minette 36507
- 96 **MOBILE**
Michael E. Box 155 South Warren St., Mobile 36602
- 97 **MOBILE**
Mary S. Zoghby 2862 Hilburn Dr., Mobile 36606
- 98 **MOBILE**
William Clark 711 Atmore Ave., Prichard 36612
- 99 **MOBILE**
James Buskey 2207 Barretts Lane, Mobile 36617
- 100 **MOBILE**
Victor Gaston 864 Parkwood Dr., West, Mobile 36608
- 101 **MOBILE**
Ken Kvalheim 421 Dogwood Dr., Mobile 36609
- 102 **MOBILE**
J. E. Turner P.O. Box 777, Citronelle 36522
- 103 **MOBILE**
Yvonne Kennedy 1205 Glennon Ave., Mobile 36603
- 104 **MOBILE**
Beth Marietta 557 Church St., Mobile 36602
- 105 **MOBILE**
Taylor F. Harper P.O. Box 229, Grand Bay 36541

STANDING COMMITTEES
HOUSE OF REPRESENTATIVES
OF ALABAMA 1988

AGRICULTURE, FORESTRY & NATURAL RESOURCES

Richardson, Chairperson; Faulk, Vice Chairperson; Blakeney, Breedlove, Bryant, Hamilton, Lindsey, Logan, Mathis, Moon, Penry, Rains, Warren, White (F), Willis.

BANKING

Zoghby, Chairperson; Harvey, Vice Chairperson; Beasley, Breedlove, Cosby, Escott, Ford, Hammett, Headley, Hettinger, Hill, Logan, Marietta, Mikell, Petelos.

BUSINESS & LABOR

Laird, Chairperson; Willis, Vice Chairperson; Fuller, Goodwin, Hogan, Hooper, Layson, McMillan, Melton, Mikell, Payne, Reed, Richardson, Venable, Walker.

COMMERCE & INDUSTRIAL DEVELOPMENT

Adams, Chairperson; Hooper, Vice Chairperson; Box, Brooks, Butler, Carter, Cosby, Curry, Frazier, Holley, Kennedy, Perdue, Poole, Starkey, Warren.

CONSTITUTION & ELECTIONS

Venable, Chairperson; Beers, Vice Chairperson; Bowling, Box, Curry, Dillard, Faulk, Headley, Holley, Holmes, Marks, Mathis, Newton, Parker, Perdue.

EDUCATION

McMillan, Chairperson; Gray, Vice Chairperson; Bugg, Clark (W), Dillard, Grayson, Grouby, Hill, Johnson (RW), Jr., Knight, Penry, Poole, Slaughter, Turnham, Zoghby.

HEALTH

Carothers, Chairperson; Johnson (RG), Vice Chairperson; Beasley, Biddle, Butler, Drake, Faulk, Flowers, Freeman, Hall, Kvalheim, McClain, McDowell, Seibels, White (L).

HIGHWAY SAFETY

Britnell, Chairperson; Melton, Vice Chairperson; Bowling, Burke, Buskey (James), Buskey (John), Carothers, Coburn, Crow, Haynes, Hill, McDowell, Newton, Parker, Spratt.

INSURANCE

White (L), Chairperson; Flowers, Vice Chairperson; Buskey (James), Frazier, Grouby, Hall, Haynes, Laird, Layson, Lindsey, McKee, Seibels, Spratt, Williams, Willis.

JUDICIARY

Higginbotham, Chairperson; Box, Vice Chairperson; Beasley, Blakeney, Campbell, Drake, Hettinger, Johnson (RG), Kvalheim, Laird, Marietta, Marks, Petelos, Slaughter, Thomas.

LOCAL GOVERNMENT

Hettinger, Chairperson; Warren, Vice Chairperson; Davis, Hamilton, Higginbotham, Holley, Junkins, Knight, Parker, Reed, Richardson, Seibels, Thomas, Turner, Wright.

LOCAL LEGISLATION NO. 1

Rains, Chairperson; Moon, Vice Chairperson; Black, Bryant, Carter, Flowers, Fuller, Hamilton, Junkins, Laird, Melton, Starkey, White (F), White (L), Willis.

LOCAL LEGISLATION NO. 2

White (G), Chairperson; McDowell, Vice Chairperson; Beers, Biddle, Curry, Davis, Escott, Gray, McClain, Newton, Payne, Perdue, Petelos, Rogers, Seibels, Slaughter, Spratt, Wright.

LOCAL LEGISLATION NO. 3

Marietta, Chairperson; Clark (W), Vice Chairperson; Box, Buskey (JE), Gaston, Harper, Kennedy, Kvalheim, Turner, Zoghby.

LOCAL LEGISLATION NO. 4
(Madison)

Hall, Chairperson; Freeman, Vice Chairperson; Brooks, Butler, Grayson, Hettinger.

LOCAL LEGISLATION NO. 4
(Montgomery)

McKee, Chairperson, Walker, Vice Chairperson; Buskey (JL), Holmes, Hooper, Mikell.

MILITARY AFFAIRS

Ford, Chairperson; Starkey, Vice Chairperson; Biddle, Blake, Britnell, Bryant, Crow, Grayson, Johnson (RG), Mathis, McDowell, Moon, Newton, Petelos, Slaughter.

OIL & GAS

Marietta, Chairperson; Johnson (RW) Jr., Vice Chairperson; Adams, Breedlove, Butler, Clark (W), Coburn, Hogan, Kvalheim, Logan, Newman, Penry, Rogers, Turner, White (F).

PUBLIC UTILITIES & TRANSPORTATION

Davis, Chairperson; White (G), Vice Chairperson; Buskey (JE), Cosby, Crow, Ford, Gaston, Gray, Hammett, Johnson (RW) Jr., Lindsey, Newman, Rogers, Walker, Zoghby.

PUBLIC WELFARE

Reed, Chairperson; Thomas, Vice Chairperson; Black, Blake, Bowling, Brooks, Bugg, Buskey (JL), Curry, Goodwin, Harvey, Knight, Rains, Turner, Williams.

RULES

Carter, Chairperson; Ford, Vice Chairperson; Beers, Campbell, Carothers, Hall, Hammett, Harvey, Headley, Payne, Reed, Starkey, Venable, Warren, White (F).

SMALL BUSINESS

Walker, Chairperson; Escott, Vice Chairperson; Black, Blakeney, Brooks, Burke, Buskey (JL), Frazier, Goodwin, Gray, Hogan, Holmes, McMillan, Mikell, Poole.

STATE ADMINISTRATION

Gaston, Chairperson; Butler, Vice Chairperson; Biddle, Blake, Britnell, Bugg, Clark (W), Dillard, Faulk, Grouby, Haynes, Hooper, Moon, Newman, Penry.

TOURISM, ENTERTAINMENT & SPORTS

Williams, Chairperson; Hammett, Vice Chairperson; Beers, Dillard, Gray, Hamilton, Harper, Higginbotham, Holley, Holmes, Johnson (RG), Junkins, Marietta, Mathis, Reed.

WAYS & MEANS

Harper, Chairperson; Turnham, Vice Chairperson; Adams, Burke, Coburn, Freeman, Fuller, Junkins, Kennedy, Layson, McClain, McKee, White (G), Williams, Wright.

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- Cole, mr. Roy Greene, of Heflin, death mourned—
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- Donald, mrs. Beulah Mae, of Mobile, death mourned—
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- Hand, mrs. Mary Harriett Moon, of Heflin, death mourned—
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- Harris, mr. George Ernest, of Huntsville, death mourned—
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- McDaniel, mr. John L., of Decatur, death mourned—
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- Moncrief, mr. William Hollie, of Prattville, death mourned—
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- Moore, mr. James E., jr., of Bessemer, death mourned—
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- Sharp, mr. Oakley, of Jackson county, death mourned—
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- Shelton, mr. J. Willard, of Lauderdale county, death mourned—
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- Staples, mrs. Anna Louise Morriss, of Mobile, death mourned—
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- Alabama symphony orchestra, commended for its remarkable record of success—
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- Alexander, mayor H. A., commended for outstanding service to the city of Moulton—
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- Anderson, mr. Morris W., of Huntsville, commended for outstanding Professional achievement and service to the community and the state—
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- Andrews, mrs. Lillian Pugh, of Jackson, commended for distinguished service and achievement—
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Bell, mr. and mrs. John C., of Livingston, commended on the occasion of their 50th wedding anniversary—
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Bonner, mr. Wayne, of Huntsville, commended for distinguished achievement and service to the building industry—
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Canady, mr. Charlie, of Albertville, commended for outstanding civic achievement—
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Caylor, mrs. Mary Jane, of Huntsville, commended for outstanding professional achievement and service to the community and the state—
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Chambers county museum, board of directors, commended for outstanding service to the community and the state—
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Clark, mr. Warren K., commended for outstanding community service—
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Cochran, mr. John Howard, a native of Fort Payne, commended for distinguished service with boy scouts of America—
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Cooper, former state representative Gary, of Mobile, commended on the bestowal of the legion of merit award—
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Cooper, major general Gray, of Mobile, commended as recipient of the prestigious legion of merit—
HJR 130, pages 285, 310, Act no. 88-720

Cope, dr. Padgett, of Birmingham, commended for his ministry at Ruhama baptist church—
SR 80, page 576

Cosby, representative W. F., (Noopie), jr., commended as legislative conservationist of the year—
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Cosby, representative W. F., (Noopie), jr., commended as recipient of the Alabama travel council's award of excellence—
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- Davis, coach Paul E., commended on being awarded an extraordinary commendation by the east Tennessee chapter of the national football foundation—
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- Davis, mayor Joe W., commended for his exemplary public service to Huntsville and to the state of Alabama—
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- Daxe, mr. Jeffery A., of Calhoun county, commended upon attaining the rank of eagle scout—
HJR 39, pages 71, 108, Act no. 88-680
- Dowdle, dr. Joseph C., of Tuscaloosa, commended for outstanding professional achievement and service to the community and the state—
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- Dunagan, dr. Deason C., of Huntsville, commended for distinguished service to the medical profession—
SR 45, page 298
- Duncan, judge William B., of Florence, commended for distinguished service to Lauderdale county—
HJR 77, pages 376, 388, Act no. 88-818
- Edwards, mr. Jeffery A., of Calhoun county, commended upon attaining the rank of eagle scout—
HJR 37, pages 71, 107, Act no. 88-678
- Elder, dr. William E., of Mobile, commended for outstanding professional achievement—
HJR 33, pages 70, 74, Act no. 88-675
- Elvin Hill elementary school, of Shelby county, commended as model school—
HJR 149, pages 528, 551, Act no. 88-926
- Enfinger, mr. Jeffrey Wade, of Huntsville, commended for distinguished service to the Huntsville-Madison county community and the state of Alabama—
SR 23, page 141
- Fain, mrs. Margaret Ann, of Birmingham, commended on the occasion of her birthday—
SR 79, page 575
- Farley, mr. Joseph M., of Birmingham, commended for outstanding achievement and community service—
SR 24, page 141
- Fenison, mr. and mrs. Oliver, of Montgomery, commended on their 70th wedding anniversary—
HJR 69, pages 169, 194, Act no. 88-690
- Finn, assistant police chief Lewis, commended for outstanding service to the Childersburg community—
SJR 39, pages 246, 287, 310, 337, Act no. 88-772
- Finn, chief Ira, commended for distinguished service to the police department of Childersburg and to the community—
SJR 40, pages 246, 287, 310, 337, Act no. 88-773

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Glassco, Truman and Bobbie, of Boaz, commended for their outstanding achievement and community service—

SJR 6, pages 9, 195, 205, 272, Act no. 88-763

Green, mr. William C., jr., of Huntsville, commended for his outstanding professional achievement and community service—

SR 19, page 99

Griffith, dr. Rolf Parker, jr., of Huntsville, commended for outstanding professional achievement and service to the community and the state—

SR 51, page 350

Hallmark, deputy sheriff C. J., of Talladega, commended for distinguished service to sheriff's department—

HJR 163, pages 809, 891, Act no. 88-911

Hamby, ms. Dene, commended for distinguished service to the Huntsville education association—

SR 27, page 182

Hanan, mr. Rubin Morris, of Montgomery, commended for outstanding achievement and service to community, state and nation—

SR 55, page 377

Harris, mr. John Clinton, of Scottsboro, commended for distinguished service to civitan international—

HJR 21, pages 168, 193, Act no. 88-685

Hettinger, representative Stephen R., commended upon election as mayor of Huntsville—

HJR 173, pages 917, 918, Act no. 88-913

Hewett, dr. Bill V., of Huntsville, commended for distinguished service to the medical profession—

SR 34, page 218

Johnson junior high school computer team, commended for outstanding achievement—

SR 25, page 141

Keeling, mr. Rex, of Gadsden, commended as the winner of 62nd annual Gadsden country club invitational golf tournament—

HJR 54, pages 169, 193, Act no. 88-688

Kennedy, representative Yvonne, of Mobile, commended upon her election to the national presidency of delta sigma theta sorority—

HJR 40, pages 293, 320, Act no. 88-703

Kirkland, judge Martha, of Brewton, commended upon retirement—

HJR 5, pages 289, 309, Act no. 88-693

Lammers, mr. John D., of Carrollton, commended for distinguished service to boy scouts of America—

HJR 7, pages 289, 309, Act no. 88-694

Lowder, mr. Robert E., of Montgomery, commended for outstanding achievement and services to Auburn university and the community—

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- Lowery, mr. Jeremy, of Marganet, commended as the largest football player in the United States—
HJR 124, pages 289, 309, Act no. 88-716
- Lowery, mr. Andrew J., III, of Huntsville, commended for outstanding achievement and community service—
SR 73, page 509
- Malone, mr. Dan S., of Gadsden, commended for efforts to commemorate civil rights contributions of William L. Moore—
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- Maynor, mrs. Linda Martin, of Gurley, commended for outstanding professional achievement and service to the community and the state—
SR 50, page 350
- McClenny, Mr. Loyd G., of Coosa county, commended for distinguished service to the public schools—
SJR 53, pages 350, 364, 385, 392, Act no. 88-804
- McDaniel, mr. William J., of Birmingham, commended for distinguished professional achievement and service—
SR 47, page 315
- McLaughlin, brigadier general Max V., of Blue Springs, commended on his distinguished military career—
HJR 115, pages 293, 321, Act no. 88-712
- McMichael, miss Cristy Lynn, of Prattville, commended as miss junior world USA—
HJR 147, pages 528, 551, Act no. 88-928
- Murray, principal Jan, and Saint Ignatius school, of Mobile, commended as a recipient of the United States department of education exemplary elementary school award—
HJR 34, pages 70, 74, Act no. 88-676
- Neese, ms. Shirley, of Florence, commended for outstanding professional achievement and community service—
SR 67, page 508
- Nix, mrs. Joyce G., of Pell City, commended for her distinguished service to the chamber of commerce and the community—
HJR 26, pages 291, 320, Act no. 88-700
- Norton, dr. Thomas B., of Gulf Shores, commended for outstanding professional service and municipal leadership—
SJR 13, pages 30, 195, 205, 272, Act no. 88-760
- Oneonta high school girls' volleyball team, commended on their outstanding 1988 season—
HJR 85, pages 244, 258, Act no. 88-756
- Overbach, dr. Avrin M., of Huntsville, commended for his outstanding achievements to the state—
SR 26, page 182
- Owens, mr. and mrs. Theodore S., of Escambia county, commended on their 50th wedding anniversary—
HJR 4, pages 289, 309, Act no. 88-732

RESOLUTION, CONGRATULATORY (Continued)

Page, mr. Charles D., jr., of Tanner community, commended for outstanding professional achievement and service—
SR 35, page 218

Pell City bronco all-stars, commended for their outstanding season—
HJR 24, pages 292, 320, Act no. 88-698

Pickens academy baseball team, commended for their 1988 first place ranking in the APSA competition—
HJR 9, pages 290, 320, Act no. 88-696

Pilot club of Northport, commended for contributions to the community—
HJR 8, pages 290, 320, Act no. 88-695

Pittman, miss Sarah Louise, director of division of family and children's services of the state department of human resources, commended for outstanding service to the state of Alabama—
HJR 110, pages 288, 321, Act no. 88-710

Public service commission, commended for efforts in hiring minorities—
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SR 86, page 576

Ritondo, mr. John T., jr., of Calhoun county, commended upon attaining the rank of eagle scout—
HJR 38, pages 71, 107, Act no. 88-679

Roberts, mr. V. O., of Birmingham, commended on the occasion of his 61st birthday—
SR 48, page 315

Saint Ignatius school, and principal Jan Murray, of Mobile, commended as a recipient of the United States department of education exemplary elementary school award—
HJR 34, pages 70, 74, Act no. 88-676

Scottsboro city schools and staff, commended for establishment and operation of Indian educational program—
HJR 20, pages 290, 320, Act no. 88-697

Simms, mr. Leroy Alanson, of Huntsville, commended for distinguished career—
SR 70, page 509

Starnes, mr. Gene, of Guntersville, commended for outstanding achievement—
HJR 61, pages 169, 193, Act no. 88-689

Stephenson, mr. E. W., Jr., of Huntsville, commended for his numerous accomplishments—
SR 81, page 576

Students against driving drunk, Lexington high school chapter, commended for their efforts to eradicate drug abuse—
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Sweet Water high school baseball team, commended as 1988 class 1A state baseball champions—
HJR 117, pages 293, 321, Act no. 88-713

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- Talladega little league girls' softball team, commended for thier outstanding 1988 season—
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- Thomas, dr. Joab, of Holt, commended for distinguished service as president of the university of Alabama—
SJR 5, pages 8, 195, 205, 272, Act no. 88-764
- Thomasville high school baseball team, commended for 4A state baseball championship—
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- Traylor, dr. Orba Forest, of Huntsville, commended for his numerous accomplishments—
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- UMS preparatory school baseball team, commended as the 1988 state 3A champions—
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- Varnado, mr. John L., of Montgomery, commended for outstanding community, civic and fraternal involvement—
SJR 62, pages 475, 525, 551, 552, Act no. 88-884
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- Ward, mr. Michael, of Huntsville, commended as 1988 boys state governor—
HJR 120, pages 294, 321, Act no. 88-715
- Watson, mr. George Walter, of Calhoun county, commended upon attaining the rank of eagle scout—
HJR 36, pages 71, 74, Act no. 88-677
- Whitman, mr. A. F., of Sylacauga, commended on his accomplishments as vice president of the chamber of commerce and his forthcoming retirement—
HJR 126, pages 287, 310, Act no. 88-717
- Williams, mr. McCullough, of Youngstown, Ohio, commended for outstanding service to little league baseball and football—
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- Worthen, mrs. Myrtle, of Scottsboro, commended on the occasion of her 101st birthday—
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- Yancey, Mrs. Mae Belle, of Etowah county, commended for distinguished service to the Duck Springs elementary school—
HJR 52, pages 137, 315, 322, Act no. 88-705
- Younes, dr. Henry Joseph, of Brownsboro, commended for his numerous accomplishments—
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- Cureton bridge, on state highway 27 crossing the Choctawhatchee river west of Abbeville, named—
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- Dan A. Easterling, II, prison facility, at Clio, named—
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Jessie Denson McGill bridge, on U. S. 280, Dadeville by-pass over Chattasofka creek, named—
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JOURNAL
OF THE
SENATE
OF THE
STATE OF ALABAMA
SECOND EXTRAORDINARY
SESSION OF 1988

HELD IN THE CITY OF MONTGOMERY, ALABAMA
COMMENCING MONDAY, SEPTEMBER 26, 1988



Vol. 1

WITH AN INDEX PREPARED BY THE
SECRETARY OF THE SENATE

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To facilitate research in the Senate Journal, the following information is included at the end for your convenience:

1. Legislative roster, listing names and addresses of all members of the current Legislature by district;
2. A listing of legislative days, with calendar dates and pages on which each day begins;
3. A topic index of general bills listed alphabetically by subject matter;
4. A topic index of local bills listed alphabetically by counties;
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**JOURNAL
OF THE
SENATE
OF THE
STATE OF ALABAMA
SECOND EXTRAORDINARY SESSION
OF 1988**

FIRST LEGISLATIVE DAY

MONDAY, SEPTEMBER 26, 1988

BE IT REMEMBERED, that on the twenty-sixth day of September, A.D., 1988, Guy Hunt, Governor of the State of Alabama, issued his proclamation in words and figures as follows, to-wit:

**STATE OF ALABAMA
PROCLAMATION
BY THE GOVERNOR**

WHEREAS, there exists an extraordinary occasion in the State of Alabama, which demands the convening of the Legislature of Alabama, in extraordinary session, as prescribed by Article V, Section 122 of the Constitution of Alabama of 1901.

NOW, THEREFORE, I, Guy Hunt as Governor of the State of Alabama, do hereby proclaim and direct that the Legislature of the State of Alabama shall convene in extraordinary session at the seat of government, Alabama State House, in Montgomery, Alabama at 5 o'clock p.m., on September 26, 1988, and do hereby designate the following subjects and matters, which I, as Governor, deem necessary to be considered and acted upon by said Legislature, in extraordinary session assembled:

1. Legislation to make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, for interest on the public debt, and for capital outlay for the fiscal year ending September 30, 1989.

2. Legislation to provide for the levy of a tax and the collection thereof on pari-mutuel betting and activities related thereto, and to provide that such additional funds will be distributed to the state general fund.

3. Legislation to increase the tax on cigarettes; to provide for the collection of the funds produced thereby; and to provide that such additional funds will be distributed to the state general fund.

IN WITNESS WHEREOF, I have hereunto set my hand as Governor of the State of Alabama and caused this Proclamation to be attested by the Secretary of State at the State House, in the City of Montgomery, on this the 26th day of September, 1988.

GUY HUNT,
Governor.

ATTEST:

GLEN BROWDER,
Secretary of State.

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Pursuant to such proclamation, at the hour of 5 o'clock P.M. on Monday, September 26, 1988, the Senators in the Legislature of Alabama assembled in the Senate Chamber.

The Senate was called to order by the Honorable James E. Folsom, Jr., Lieutenant Governor and President and Presiding Officer of the Senate. McDowell Lee, Secretary, was present and acted as such according to law.

PRAYER

The Session was opened with prayer by the Reverend Jiles Williams, Pastor, New Providence Baptist Church, Montgomery, Alabama.

PLEDGE OF ALLEGIANCE

The Senators were led in the Pledge of Allegiance to the Flag of the United States of America by Jamila Jackson, St. John the Baptist Catholic School, Montgomery, Alabama.

ROLL CALL

Present:

Senators:	Campbell	Foshee	Menton
Amari	Corbett	Goodwin	Mitchem
Bailey	deGraffenried	Hale	Parsons
Barron	Denton	Hilliard	Rice
Bedsole	Dial	Horn	Sanders
Bennett	Dixon	Langford	Smith (B)
Cabaniss	Figures	Manley	Smith (J)

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LEAVE OF ABSENCE

On motion of Senator deGraffenried, leave of absence was granted Senators Bedford, Bishop, Covington, Drinkard, Ellis, Hand, Holmes, and Preuitt for today.

RESOLUTION

Senator deGraffenried offered the following Senate Joint Resolution, to-wit:

S. J. R. 1. COMMITTEE APPOINTED TO NOTIFY GOVERNOR
THAT LEGISLATURE IS IN SESSION.

BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, That a committee of three members of the Senate, to be named by the Presiding Officer of the Senate, and three members of the House, to be named by the Speaker of the House, be appointed to notify the Governor that the Legislature is now in session and is ready for the transaction of business.

On motion of Senator deGraffenried, the Rules were suspended and the Resolution was adopted by the Senate.

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate, Senators Cabaniss, Rice, and Dixon.

INTRODUCTION OF BILLS

Upon the call of districts, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Senators Denton and Sanders:

S. 1. To amend Sections 22-27-3 and 22-27-6, Code of Alabama 1975, which relate to the authority of local governing bodies as to methods of waste collections and disposal, and the time for local government compliance with the solid waste laws so as to provide further for the methods of waste collection and disposal facilities for solid wastes; to grant to the several county commissions and municipalities the power and authority by resolution or ordinance to adopt rules and regulations requiring mandatory public participation in solid waste collection and disposal programs; providing that failure to comply with the provisions of the article by the owner of solid waste generating property shall constitute a public nuisance and providing for the assessment for the cost of such collection and disposal against such solid waste generating property; to provide for the collection of such assessments; to provide that the amounts of such assessments shall be a lien on the property against which they are assessed and shall be subject to the same penalties and the same procedure under foreclosure and sale in case of delinquency as provided for ordinary county taxes; and to amend Section 22-27-7, Code of Alabama 1975, which relates to penalties for violation of the provisions of the article so as to further provide for such penalties.

Committee on Business and Labor Relations.

By Senators Dial, Cabaniss, Dixon, Horn, Smith (J), Bedsole, and Hale:

S. 2. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, for other functions of government, for interest on the public debt, and for capital outlay for the fiscal year ending September 30, 1989.

Committee on Finance and Taxation.

By Senators Cabaniss, Bennett, and Horn:

S. 3. To amend Section 39-1-1, Code of Alabama 1975, requiring bonds for persons, firms or corporations contracting with the state or political subdivisions thereof for repair or construction of public buildings, works, highways or bridges, by adding at the end of subsection (a) of the existing section a provision adding public corporations and authorities as political subdivisions covered by the section, but providing for the exemption, from the requirements of the section, of any real or personal property leased to a private entity and owned by a private entity for Alabama or federal income tax purposes.

Committee on Finance and Taxation.

By Senators Cabaniss, Bennett, and Horn:

S. 4. To amend Section 40-12-223, Code of Alabama 1975, for the purpose of exempting from the leasing tax imposed by Sections 40-12-220 through 40-12-227, Code of Alabama 1975, the gross proceeds derived from the leasing of tangible personal property pursuant to a sale-lease back financing that meets certain conditions, including the initial acquisition of such property by the lessee or by an entity controlled by, or under common control with, the lessee, the subsequent sale of such property to the lessor,

and the leasing back of such property from the lessor by the lessee pursuant to a lease which, among other things, has a term of not less than fifteen years and does not constitute a sale for either Alabama or federal income tax purposes or both.

Committee on Finance and Taxation.

By Senator Hilliard (With Notice and Proof):

S. 5. Relating to Jefferson County, amending Act No. 1272, H. 620, 1973 Regular Session, which provides for a pension and retirement system in the City of Birmingham, so as to provide further for the investment of pension funds.

Committee on Local Legislation No. 2.

I hereby certify that the notice and proof is attached to the Bill, S. B. 5, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,
Secretary.

By Senator Manley:

S. 6. To provide for the creation of a special account to which the Legislature shall appropriate certain funds to prevent proration in the Alabama Special Educational Trust Fund; to prescribe criteria and procedures for withdrawals from such account in years of proration or in emergency situations as may be determined by the Legislature; to make annual appropriations to such account until a certain amount is established and to provide that such amount shall be maintained in separate trust from year to year except during years of proration in the Alabama Special Educational Trust Fund and in emergencies; to prescribe procedures and criteria for reimbursement to such account after withdrawals; to provide for the retention of accrued interest; to provide for an effective date; and to repeal conflicting provisions.

Committee on Finance and Taxation.

By Senator Manley:

S. 7. To amend §1-3-8 of the Code of Alabama 1975, so as to further provide for State holidays in this state; to provide that National Memorial Day shall be a legal holiday in this state and for the celebration of Confederate Memorial Day and Jefferson Davis' birthday on such day; to further provide for the celebration of Mardi Gras in this state; and to provide for personal leave days for State employees in lieu of certain holidays.

Committee on Rules.

By Senator Foshee:

S. 8. Proposing an amendment to Section 65 of the Constitution of 1901, which prohibits any lottery, so as to legalize only a lottery or lotteries or any scheme in the nature of a lottery or lotteries operated by the state and in certain counties authorized by a general statute; authorizing the legislature, at its discretion, to establish a pilot program for the legalized operation of a lottery or lotteries; authorizing the legislature to regulate such

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operations; and allowing legislation relating to lotteries to originate in either house of the legislature.

Committee on Judiciary.

The above Bill was read a first time at length as required by the Constitution.

By Senator Foshee:

S. 9. To create the Alabama State Lottery Act which establishes a state lottery as a revenue-raising agency of state government and provides for its operation and administration; to provide for a commission, the agency and its divisions, director, and other personnel, their appointments, powers, compensation and duties; to regulate vendors, suppliers, contractors and retailers; to prescribe the manner for collecting receipts and distributing the net revenues and to make appropriations therefor; to confer certain peace officer status and access to certain criminal records; to provide for a temporary loan from the state treasury as "seed money" for the start-up of the lottery operation and to require repayment; to provide certain other funding where an emergency exists; to regulate the lottery operation and provide for strict accounting, security and reporting procedures; to prescribe penalties for certain violations and crimes; to exclude the state lottery from the operation of sunset requirements and the administrative procedures act, as well as certain state, county and local taxes; to define lottery or lotteries and other terms; to provide certain compensation for the commission members, the director and other personnel; to prohibit the divulging of certain patent information and trade secrets, or the usage of the theme of bingo, dog racing or horse racing in lottery games; to prescribe the manner of validating and awarding prizes as well as providing certain judicial processes.

Committee on Judiciary.

By Senator Manley:

S. 10. To require county governing bodies to establish precincts and voting districts based on clearly visible, definable and observable physical boundaries based on U. S. Census Bureau criteria not later than June 1, 1989; to provide for participation by Alabama in programs of the Census Bureau for census data for purposes of reapportionment; to define terms; to require the counties to provide and maintain maps of said precincts and voting districts to the probate judge, board of registrars and the Joint Legislative Task Force on Reapportionment; to provide for the designation of places of voting; to require the certification of lists of eligible voters by the probate judge; to provide for boxes and machines for elections as may be supplemented by the provisions of any local election laws or by the electronic vote counting statutes; to provide for the posting of boundaries of precincts, voting districts, and voting places and for the changing of precinct and voting district boundaries and changes in places of voting; to provide that the Reapportionment Task Force shall be the official state liaison between the state, the counties and the U. S. Census Bureau for purposes of implementing the provisions of this act; to require cooperation by all county and state agencies and officials with the Reapportionment Task Force; to specifically supersede and repeal Sections 17-5-1 through 17-5-13, Code of Alabama 1975, effective June 1, 1989; and to state specifically that the provisions of this act shall have no effect on the conduct of municipal elections or on the general or local municipal election statutes in this state.

Committee on Rules.

By Senator Sanders:

S. 11. To increase the number of trustees on the Board of Trustees of Selma University and provide for their appointment.

Committee on Rules.

By Senator Rice:

S. 12. To authorize the department of human resources to remove certain items of fully depreciated state property which have little or no resale or reuse value to the state from state property inventory by transferring title and ownership of same to purchase of service contractors who will continue to utilize those items in providing needed services to clients of the department of human resources.

Committee on Finance and Taxation.

By Senator Rice:

S. 13. To amend Sections 22-21-20 and 22-21-27 of the Code of Alabama 1975, relating to licensing of hospitals, nursing homes and other health care institutions so as to include home health agencies; and to provide further for the advisory board.

Committee on Health.

By Senator Rice:

S. 14. To further amend section 38-7-3, Code of Alabama 1975, relating to child day care centers which are exempt from regulation by the Department of Human Resources, so as to require those exempted child day care programs be required to submit to the Department of Human Resources written verification of compliance with fire and health regulations, applicable to child day care centers, and that the Department of Human Resources be required to retain such verification on file.

Committee on Public Welfare.

By Senator Rice:

S. 15. To provide that it is unlawful to use a firearm or archery tackle in a criminally negligent manner related to hunting; to provide for three degrees of such negligence; to provide for fines and imprisonment as punishment, without suspension of sentence; to provide for the forfeiture and suspension of hunting licenses; to provide for penalties for hunting during the time of such suspension; to provide for completion of a hunter safety program prior to obtaining a subsequent hunting license; and to provide that monetary penalties shall be remitted to the Alabama crime victims compensation commission for restitution, so as to compensate the victim or dependents of the victim of such criminally negligent act related to hunting.

Committee on Judiciary.

By Senator Rice:

S. 16. To further amend Section 40-12-252, Code of Alabama 1975, as amended, relating to the basis of tax for truck trailers, tractor trailers and semitrailers, so as to authorize a five-year registration option for these vehicles as now permitted for rental utility trailers, and gives the Department of

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Revenue the authority to develop and promulgate reasonable rules and regulations as needed to administer the provisions of this act.

Committee on Finance and Taxation.

By Senator Rice:

S. 17. Relating to county coroners; to define a coroner's investigation; to provide for qualifications and training; to establish a quality assurance board; to limit coroners' investigations; to provide the types of deaths the coroner shall investigate; to provide instances when postmortem examination and autopsies shall be performed by a state medical examiner; to provide for the taking charge of certain bodies and the authority to remove certain evidence from the body; to provide for the certification of certain deaths; to provide for the review of pertinent medical records and the power to subpoena said records; to require the reporting of deaths to the coroner and to prohibit altering a body or evidence; and to prescribe criminal penalties for persons who violate said provision; to provide for notification of next of kin and accounting for personal effects; to provide for the costs of assistance; to exempt coroners and state medical examiners from certain liability; to provide for the admission of reports into evidence; to provide that this act shall not apply in certain instances; and to repeal sections 15-4-1 through 15-4-11, Code of Alabama 1975, which relate to coroners' inquests.

Committee on Judiciary.

By Senator Rice:

S. 18. Relating to motor vehicle licenses, registration and parking; to amend Sections 32-6-230, 32-6-231, 32-6-232, 32-6-233, 32-6-233.1 and 32-6-234 of the Code of Alabama 1975, so as to provide that certain temporarily handicapped individuals shall be granted temporary identification placards for use in special parking places reserved for handicapped persons; to authorize reciprocal agreements with other states regarding such parking places and to provide penalties for misuse and abuse of such parking places.

Committee on Rules.

By Senator Rice:

S. 19. To amend Section 35-12-32, Code of Alabama 1975, relating to the Alabama Uniform Disposition of Unclaimed Property Act, so as to require that the Revenue Department establish a list of unclaimed property owners to assist individuals or organizations engaged in the practice of seeking, for a fee, the owners of abandoned or unclaimed property reported to the State; to establish the fee which a "finder" may charge an abandoned or unclaimed property owner; to authorize a charge to offset the cost of producing the listing; and to provide for the disposition of revenue received from listing sales.

Committee on Judiciary.

By Senator Rice:

S. 20. To provide for a supplemental appropriation of \$225,000 from the Alabama Special Educational Trust Fund to the State Department of Education for the payment of salaries of locally-funded educational personnel

in the Adult Basic Education/Community Education Program for the fiscal year ending September 30, 1989.

Committee on Finance and Taxation.

By Senator Bailey:

S. 21. To mandate conversion rights for an employee or a member or his or her dependents under a group policy delivered or issued for delivery in this state which provides hospital, surgical or major medical expense insurance or any combination thereof, when said employee or member dies or when said employee's, member's or a dependent's group insurance has been terminated for any reason except: (a) nonpayment of any required contribution; or (b) replacement of any discontinued group coverage with similar group coverage within 31 days; to prescribe certain minimum benefit levels and the scope of coverage to be contained within the converted policy; to allow for termination of coverage under the converted policy due to an insured becoming eligible for Medicare coverage or coverage under any other group policy or plan; and to allow for optional group coverage in lieu of the issuance of a converted individual policy.

Committee on Banking and Insurance.

By Senator Horn:

S. 22. To make an appropriation from the State General Fund to the Wallace Industrial Air Park for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

Committee on Finance and Taxation.

By Senator Horn:

S. 23. To make an appropriation of \$200,000 from the State General Fund to Fort Gaines for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

Committee on Finance and Taxation.

By Senator Horn:

S. 24. To make an appropriation of \$30,000 from the State General Fund to the Pea River Historical Society for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

Committee on Finance and Taxation.

By Senator Horn:

S. 25. To make an appropriation of \$50,000 from the State General Fund to the Southern Museum of Flight for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

Committee on Finance and Taxation.

By Senator Horn:

S. 26. To make an appropriation of \$30,000 from the State General Fund to Helen Keller Property Board for the fiscal year ending September

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30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

Committee on Finance and Taxation.

By Senator Horn:

S. 27. To make an appropriation of \$5,000 from the State General Fund to Lee County Historical Society and Museum for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

Committee on Finance and Taxation.

By Senator Horn:

S. 28. To make an appropriation from the State General Fund in the amount of \$50,000 to the Alabama Mining Museum in Dora, Alabama for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

Committee on Finance and Taxation.

By Senator Horn:

S. 29. To make an appropriation for the support and maintenance of the Cleveland Avenue YMCA for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

Committee on Finance and Taxation.

By Senator Horn:

S. 30. To make an appropriation of \$50,000 from the State General Fund to the Desoto Commission for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

Committee on Finance and Taxation.

By Senator Horn:

S. 31. To make an appropriation of \$50,000 from the State General Fund to W. C. Handy Property Board for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

Committee on Finance and Taxation.

By Senator Horn:

S. 32. To make an appropriation of \$20,000 from the State General Fund to Fort Payne Depot for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

Committee on Finance and Taxation.

By Senator Horn:

S. 33. To make an appropriation of \$50,000 from the State General Fund to the Mountain Lakes Tourist Association for the fiscal year ending September 30, 1989.

Committee on Finance and Taxation.

By Senator Horn:

S. 34. To make an appropriation of \$100,000 from the State General Fund to America's Junior Miss Pageant, Inc. for the fiscal year ending September 30, 1989.

Committee on Finance and Taxation.

By Senator Horn:

S. 35. To make an appropriation of \$20,000 from the State General Fund to Brierfield Ironworks for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

Committee on Finance and Taxation.

By Senator Horn:

S. 36. To make an appropriation of \$75,000 from the State General Fund to Alabama Travel Council for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

Committee on Finance and Taxation.

By Senator Horn:

S. 37. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, for other functions of government, for interest on the public debt, and for capital outlay for the fiscal year ending September 30, 1989.

Committee on Finance and Taxation.

By Senator Foshee:

S. 38. Proposing an amendment to Amendment No. 448 of the Constitution of Alabama of 1901, as amended, which provides that the paramount duty of the legislature shall be to make basic appropriations at regular sessions so as to provide that the provision shall not take effect until the 16th legislative day of each regular session and it removes the provision allowing the legislature to pass a resolution (B. I. R.) suspending the provisions of this constitutional requirement.

Committee on Judiciary.

The above Bill was read a first time at length as required by the Constitution.

By Senator Bennett:

S. 39. To amend Section 34-6-12, Code of Alabama 1975, which prohibits the sale of alcoholic beverages in billiard rooms, so as to delete said prohibition.

Committee on Judiciary.

By Senator Figures:

S. 40. To provide that the Judicial Inquiry Commission's investigative and litigation costs shall be paid out of the funds appropriated annually to

the court costs fund or funds; and to provide for repayment of any refunded or recaptured amounts to the court cost fund or general fund.

Committee on Finance and Taxation.

By Senator Rice:

S. 41. Requiring an additional license fee for licensure as a general contractor; and providing that the revenue derived from such additional fee shall be distributed to institutions of higher education offering approved courses in building science.

Committee on Finance and Taxation.

By Senator Rice:

S. 42. Relating to persons who are required to register with the U. S. Selective Service System, so as to provide that such persons may not enroll in institutions of higher learning nor be offered employment or advancement or promotion by the State of Alabama unless such persons offer proof that they have so registered, and to authorize the State Personnel Board and the institutions of higher learning to promulgate necessary rules and regulations.

Committee on Public Welfare.

By Senator Foshee (By Request):

S. 43. To provide that any person who willfully or maliciously injures, defaces, removes, destroys or tampers with any highway control device, highway or bridge construction warning devices or any fence or any enclosure about any highway or bridge construction site shall be guilty of a Class "C" Felony.

Committee on Rules.

By Senator Corbett:

S. 44. To regulate nonsewered toilet systems and require the provision of toilets or nonsewered toilet systems at certain work sites and special events; to provide a short title; to provide for a statement of intent; to provide for findings; to provide for definitions; to provide requirements for the operation of a nonsewered toilet service; to provide for licenses and fees; to provide for storage and maintenance of equipment and areas therefor; to provide for inspections; to provide for permits; to provide requirements for the provision of sewerred or nonsewered toilets; to provide standards for the location, construction, operation, servicing, and maintenance of nonsewered toilets; to provide for disposal of waste; to provide for enforcement; to provide for rules and regulations; to provide for penalties; and to repeal conflicting laws.

Committee on Business and Labor Relations.

By Senator Bailey:

S. 45. To amend sections 16-28-3, 16-28-6, 16-28-7, 16-28-9 and 16-28-11, Code of Alabama 1975, relating to compulsory school attendance, so as to change the age.

Committee on Education.

By Senators Menton, Foshee, and Covington:

S. 46. Proposing an amendment to the Constitution of Alabama of 1901, authorizing the governing body of each county in the state to levy

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and collect additional taxes for local school purposes, road and bridge purposes, public improvement purposes and/or for general fund purposes, to provide for a statewide levy of an additional tax for local school purposes, to provide for a new Class III property and to provide for the assessment of such property for ad valorem tax purposes.

Committee on Natural Resources.

The above Bill was read a first time at length as required by the Constitution.

MESSAGE FROM THE HOUSE

Mr. President:

I have been directed by the House to advise the Senate that the House is now in session and is ready for the transaction of public business.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 1. COMMITTEE APPOINTED TO NOTIFY GOVERNOR THAT LEGISLATURE IS IN SESSION.

And the Speaker has appointed as a committee on the part of the House, Reps. McKee, Knight and Gray.

JOHN W. PEMBERTON,
Clerk.

ADJOURNMENT

At 6:30 P.M., on motion of Senator Manley, the Senate adjourned until Tuesday, September 27, 1988, at 1 o'clock P.M.

**SECOND LEGISLATIVE DAY
TUESDAY, SEPTEMBER 27, 1988**

The Senate met pursuant to adjournment, Lieutenant Governor Folsom presiding.

PRAYER

The Session was opened with prayer by the Reverend Bill Lyle, Associate Pastor, Trinity Presbyterian Church, Montgomery, Alabama.

PLEDGE OF ALLEGIANCE

The Senators were led in the Pledge of Allegiance to the Flag of the United States of America by Tiffany Walker, Robert E. Lee High School, Montgomery, Alabama.

ROLL CALL

Present:

Senators:	Campbell	Foshee	Menton
Amari	Corbett	Goodwin	Mitchem
Bailey	deGraffenried	Hale	Parsons
Barron	Denton	Hand	Preuitt
Bedford	Dial	Holmes	Rice
Bedsole	Dixon	Horn	Sanders
Bennett	Drinkard	Langford	Smith (B)
Bishop	Ellis	Manley	Smith (J)
Cabaniss	Figures		

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JOURNAL

On motion of Senator deGraffenried, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

**REPORT OF COMMITTEE
ON RULES ON
REVISION OF THE JOURNAL**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the First Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

BILL DRINKARD,
Chairperson.

COMMITTEE REPORT

On motion of Senator Drinkard, the foregoing report was concurred in and the Journal of the Senate for the First Legislative Day was approved by the Senate.

LEAVE OF ABSENCE

On motion of Senator deGraffenried, leave of absence was granted Senators Covington and Hilliard for today.

INTRODUCTION OF BILLS

Upon the call of districts, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Senator Bedford (With Notice and Proof):

S. 47. Relating to Winston County; levying a special county privilege and license tax paralleling the state sales tax levied on certain automotive vehicles provided for by section 40-23-101, Code of Alabama 1975, and a special county excise tax paralleling the state use taxes levied on the storage or use of certain automotive vehicles provided for by section 40-23-102, Code of Alabama 1975; specifying the rates at which such taxes shall be levied; providing for the ascertainment, collection, payment, distribution and use of the said taxes; providing for enforcement of this act; and providing for a referendum.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 47, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,
Secretary.

By Senator Bedford (With Notice and Proof):

S. 48. Relating to Winston County; authorizing and providing for the incorporation of the Winston County Water Coordinating and Fire Prevention Authority, as a public corporation for the purpose of furnishing water service and fire protection facilities; providing that the service area specified in the original certificate of incorporation of such authority shall lie within the boundaries of the county in which it is incorporated, but that the said service area may be extended into one or more other counties by amendment to the certificate of incorporation; providing for and authorizing the certificate of incorporation and by-laws of such authority to be amended at any time and from time to time; providing for the appointment, election and compensation of directors of such authority; providing for the powers, authorities and duties of such authority and its board of directors; providing for the development of a master plan for said authority; authorizing such authority to acquire, construct, operate and improve one or more waterworks plants, water distribution systems or fire protection facilities, or any combination of any thereof; providing for cooperation with existing water systems and any county and city governments and any council of local government; conferring on such authority the power of eminent domain; making provisions respecting the establishment, revision and collection of charges for water service and fire protection facilities or service, or either, rendered by it; authorizing and providing for the assumption by such authority of obligations respecting systems and facilities, or parts thereof, acquired by the authority; providing that contracts entered into by such authority pursuant to this act shall not constitute or create a debt of the state or of any county, municipality or political subdivision of the state; providing that any county, municipality, other political subdivision, public corporation, or agency or instrumentality of this state may aid and cooperate with, lend or donate money to, perform services for the benefit of, and, without the necessity of an election and with or without consideration, transfer any water system, fire protection facility, or other property to such authority; providing that the rendition by such authority of water service or facilities or of fire protection service or facilities is a governmental function and to exempt such authority from all

tort liability in connection with water services or facilities or with fire protection services or facilities; exempting from all taxation in this state such authority, its property, corporate activities, income, revenues, and securities, the income from its securities, conveyances, leases, and mortgages and deeds of trust to which such authority is a party, and exempting such authority from payment of certain charges to judges of probate; exempting the authority and the contracts made by it from all competitive bid laws; providing that such authority shall be exempted from regulation and supervision by the public service commission and the state department of finance; providing for the use of public roads in the state by such authority; providing for the dissolution of such authority and the disposition of its property; providing that any public corporation may convey its assets, with or without pecuniary consideration, to such authority; providing for auditing; and providing that funds of said authority may be used to aid in applying for available grants.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 48, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,
Secretary.

By Senator Bedford (With Notice and Proof):

S. 49. Relating to Marion County; authorizing and providing for the incorporation of the Marion County Water Coordinating and Fire Prevention Authority, as a public corporation for the purpose of furnishing water service and fire protection facilities; providing that the service area specified in the original certificate of incorporation of such authority shall lie within the boundaries of the county in which it is incorporated, but that the said service area may be extended into one or more other counties by amendment to the certificate of incorporation; providing for and authorizing the certificate of incorporation and by-laws of such authority to be amended at any time and from time to time; providing for the appointment, election and compensation of directors of such authority; providing for the powers, authorities and duties of such authority and its board of directors; providing for the development of a master plan for said authority; authorizing such authority to acquire, construct, operate and improve one or more water-works plants, water distribution systems or fire protection facilities, or any combination of any thereof; providing for cooperation with existing water systems and any county and city governments and any council of local government; conferring on such authority the power of eminent domain; making provisions respecting the establishment, revision and collection of charges for water service and fire protection facilities or service, or either, rendered by it; authorizing and providing for the assumption by such authority of obligations respecting systems and facilities, or parts thereof, acquired by the authority; providing that contracts entered into by such authority pursuant to this act shall not constitute or create a debt of the state or of any county, municipality or political subdivision of the state; providing that any county, municipality, other political subdivision, public corporation, or agency or instrumentality of this state may aid and cooperate with, lend or donate money to, perform services for the benefit of, and, without the necessity of an election and with or without consideration, transfer any water system, fire protection facility, or other property to such authority; providing that the rendition by such authority of water service or facilities or of fire protection service or facilities is a governmental function and to exempt such authority from all

tort liability in connection with water services or facilities or with fire protection services or facilities; exempting from all taxation in this state such authority, its property, corporate activities, income, revenues, and securities, the income from its securities, conveyances, leases, and mortgages and deeds of trust to which such authority is a party, and exempting such authority from payment of certain charges to judges of probate; exempting the authority and the contracts made by it from all competitive bid laws; providing that such authority shall be exempted from regulation and supervision by the public service commission and the state department of finance; providing for the use of public roads in the state by such authority; providing for the dissolution of such authority and the disposition of its property; providing that any public corporation may convey its assets, with or without pecuniary consideration, to such authority; providing for auditing; and providing that funds of said authority may be used to aid in applying for available grants.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 49, as required in the General Acts of Alabama, 1975, Act No. 919.

McDOWELL LEE,
Secretary.

By Senator Bedford:

S. 50. To amend Sections 9-17-1 and 9-17-33, Code of Alabama 1975, relating to oil and gas, so as to provide for a floating rate of interest on undistributed oil and gas revenues, to provide for distribution of royalty on gas produced from natural gas wells completed in reservoir or reservoirs of Paleozoic geologic age, including periodic cash balancing, to establish semi-annual balancing periods, to provide a procedure for such balancing, to require that certain accounting data be furnished and to provide for attorney's fees in certain royalty collection suits.

Committee on Natural Resources.

By Senator Bedsole:

S. 51. To allow members of the United States Naval Reserve to purchase distinctive motor vehicle license plates or tags; to prohibit the transfer of such plates; to prescribe the manner of charging for such license plates or tags; and to provide for the duties and powers of the commissioner of revenue and the probate judge or license commissioner.

Committee on Governmental Affairs.

RESOLUTIONS

Senator Bedford offered the following Senate Joint Resolution, to-wit:

S. J. R. 2. EXPRESSING LEGISLATIVE INTENT RELATING TO ACT NO. 88-397, H. 721, REGULAR SESSION 1988, RELATING TO MARION COUNTY.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we do hereby declare and state that the legislative intent of Act No. 88-397, H. 721 (Acts 1988, p. 586), is to provide that the revenue collected pursuant to the act be used by the

newly named Marion County Water Coordinating and Fire Prevention Authority.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to the tax collector of Marion County.

On motion of Senator Bedford, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Bedford then offered the following Senate Joint Resolution, to-wit:

S. J. R. 3. EXPRESSING LEGISLATIVE INTENT RELATING TO ACT NO. 88-560, S. 665, REGULAR SESSION 1988, RELATING TO FRANKLIN COUNTY.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we do hereby declare and state that the legislative intent of Act No. 88-560, S. 665 (Acts 1988, p. 876), is to provide that the revenue collected pursuant to the act be used by the newly named Franklin County Water Coordinating and Fire Prevention Authority.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to the tax collector of Franklin County.

On motion of Senator Bedford, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Rice offered the following Senate Joint Resolution, to-wit:

S. J. R. 4. MOURNING THE DEATH OF A. B. CLARK OF DOTHAN, ALABAMA.

WHEREAS, the Legislature of Alabama grievously records the death of A. B. Clark of Dothan, Alabama, on August 13, 1988, at the age of 62 years; and

WHEREAS, Mr. Clark, who was a native of Newton and a lifelong resident of the Wiregrass, had resided in Dothan for the past 35 years; he was a member of Cloverdale United Methodist Church and a supporter of a number of other civic, charitable and community affairs in the Dothan area and throughout all of Houston County; and

WHEREAS, A. B. Clark served for 16 years as Sheriff of Houston County for a tenure in office that was the longest in the history of Houston County; first elected in 1966 he was subsequently reelected to three consecutive four-year terms and, in 1974, became the county's first ever three-term sheriff, and was thereafter to serve an unprecedented fourth term from 1978-1982; and

WHEREAS, widely known as "one of the last of the old-time sheriffs," A. B. Clark was indeed an exemplary and dedicated public servant, and his death has left a deep void in the law enforcement and Houston County communities, and in the hearts of his beloved family, and many, many friends, now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we are deeply saddened by the death of Sheriff A. B. Clark of Dothan, Alabama, and extend sincere and deepest sympathy to his wife, Mrs. Runell Clark; sons, Alan and Ken Clark;

daughters, Sheila Clark Mills and Jan Clark Hembree; and to other family members, whose sorrow we share and for whom a copy of this resolution shall be provided.

On motion of Senator Rice, the Rules were suspended and the Resolution was adopted by the Senate.

REPORTS OF COMMITTEES

Senator Preuitt, Chairperson of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Foshee:

S. 38. Proposing an amendment to Amendment No. 448 of the Constitution of Alabama of 1901, as amended, which provides that the paramount duty of the legislature shall be to make basic appropriations at regular sessions so as to provide that the provision shall not take effect until the 16th legislative day of each regular session and it removes the provision allowing the legislature to pass a resolution (B.I.R.) suspending the provisions of this constitutional requirement.

The above Bill was read a second time at length as required by the Constitution.

By Senator Rice:

S. 15. To provide that it is unlawful to use a firearm or archery tackle in a criminally negligent manner related to hunting; to provide for three degrees of such negligence; to provide for fines and imprisonment as punishment, without suspension of sentence; to provide for the forfeiture and suspension of hunting licenses; to provide for penalties for hunting during the time of such suspension; to provide for completion of a hunter safety program prior to obtaining a subsequent hunting license; and to provide that monetary penalties shall be remitted to the Alabama crime victims compensation commission for restitution, so as to compensate the victim or dependents of the victim of such criminally negligent act related to hunting.

By Senator Rice:

S. 19. To amend Section 35-12-32, Code of Alabama 1975, relating to the Alabama Uniform Disposition of Unclaimed Property Act, so as to require that the Revenue Department establish a list of unclaimed property owners to assist individuals or organizations engaged in the practice of seeking, for a fee, the owners of abandoned or unclaimed property reported to the State; to establish the fee which a "finder" may charge an abandoned or unclaimed property owner; to authorize a charge to offset the cost of producing the listing; and to provide for the disposition of revenue received from listing sales.

Senator Preuitt, Chairperson of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Senator Bennett (With Amendment):

S. 39. To amend Section 34-6-12, Code of Alabama 1975, which prohibits the sale of alcoholic beverages in billiard rooms, so as to delete said prohibition.

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Senator Drinkard, Chairperson of the Standing Committee on Rules, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Rice:

S. 18. Relating to motor vehicle licenses, registration and parking; to amend Sections 32-6-230, 32-6-231, 32-6-232, 32-6-233 32-6-233.1 and 32-6-234 of the Code of Alabama 1975, so as to provide that certain temporarily handicapped individuals shall be granted temporary identification placards for use in special parking places reserved for handicapped persons; to authorize reciprocal agreements with other states regarding such parking places and to provide penalties for misuse and abuse of such parking places.

By Senator Sanders:

S. 11. To increase the number of trustees on the Board of Trustees of Selma University and provide for their appointment.

By Senator Foshee:

S. 43. To provide that any person who willfully or maliciously injures, defaces, removes, destroys or tampers with any highway control device, highway or bridge construction warning devices or any fence or any enclosure about any highway or bridge construction site shall be guilty of a Class "C" Felony.

By Senator Manley:

S. 10. To require county governing bodies to establish precincts and voting districts based on clearly visible, definable and observable physical boundaries based on U. S. Census Bureau criteria not later than June 1, 1989; to provide for participation by Alabama in programs of the Census Bureau for census data for purposes of reapportionment; to define terms; to require the counties to provide and maintain maps of said precincts and voting districts to the probate judge, board of registrars and the Joint Legislative Task Force on Reapportionment; to provide for the designation of places of voting; to require the certification of lists of eligible voters by the probate judge; to provide for boxes and machines for elections as may be supplemented by the provisions of any local election laws or by the electronic vote counting statutes; to provide for the posting of boundaries of precincts, voting districts, and voting places and for the changing of precinct and voting district boundaries and changes in places of voting; to provide that the Reapportionment Task Force shall be the official state liaison between the state, the counties and the U. S. Census Bureau for purposes of implementing the provisions of this act; to require cooperation by all county and state agencies and officials with the Reapportionment Task Force; to specifically supersede and repeal Sections 17-5-1 through 17-5-13, Code of Alabama 1975, effective June 1, 1989; and to state specifically that the provisions of this act shall have no effect on the conduct of municipal elections or on the general or local municipal election statutes in this state.

Senator Bishop, Chairperson of the Standing Committee on Natural Resources, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with

substitute, and it was read a second time and placed on the calendar, to-wit:

By Senators Menton, Foshee, and Covington (With Substitute):

S. 46. Proposing an amendment to the Constitution of Alabama of 1901, authorizing the governing body of each county in the state to levy and collect additional taxes for local school purposes, road and bridge purposes, public improvement purposes and/or for general fund purposes, to provide for a statewide levy of an additional tax for local school purposes, to provide for a new Class III property and to provide for the assessment of such property for ad valorem tax purposes.

The above Bill was read a second time at length as required by the Constitution.

Senator Rice, Chairperson of the Standing Committee on Public Welfare, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Rice:

S. 42. Relating to persons who are required to register with the U. S. Selective Service System, so as to provide that such persons may not enroll in institutions of higher learning nor be offered employment or advancement or promotion by the State of Alabama unless such persons offer proof that they have so registered, and to authorize the State Personnel Board and the institutions of higher learning to promulgate necessary rules and regulations.

By Senator Rice:

S. 14. To further amend section 38-7-3, Code of Alabama 1975, relating to child day care centers which are exempt from regulation by the Department of Human Resources, so as to require those exempted child day care programs be required to submit to the Department of Human Resources written verification of compliance with fire and health regulations, applicable to child day care centers, and that the Department of Human Resources be required to retain such verification on file.

Senator Amari, Vice Chairperson of the Standing Committee on Local Legislation No. 2, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Senator Hilliard (With Notice and Proof):

S. 5. Relating to Jefferson County, amending Act No. 1272, H. 620, 1973 Regular Session, which provides for a pension and retirement system in the City of Birmingham, so as to provide further for the investment of pension funds.

Senator Horn, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senators Cabaniss, Bennett, and Horn:

S. 3. To amend Section 39-1-1, Code of Alabama 1975, requiring bonds for persons, firms or corporations contracting with the state or political

subdivisions thereof for repair or construction of public buildings, works, highways or bridges, by adding at the end of subsection (a) of the existing section a provision adding public corporations and authorities as political subdivisions covered by the section, but providing for the exemption, from the requirements of the section, of any real or personal property leased to a private entity and owned by a private entity for Alabama or federal income tax purposes.

By Senator Manley:

S. 6. To provide for the creation of a special account to which the Legislature shall appropriate certain funds to prevent proration in the Alabama Special Educational Trust Fund; to prescribe criteria and procedures for withdrawals from such account in years of proration or in emergency situations as may be determined by the Legislature; to make annual appropriations to such account until a certain amount is established and to provide that such amount shall be maintained in separate trust from year to year except during years of proration in the Alabama Special Educational Trust Fund and in emergencies; to prescribe procedures and criteria for reimbursement to such account after withdrawals; to provide for the retention of accrued interest; to provide for an effective date; and to repeal conflicting provisions.

By Senator Rice:

S. 16. To further amend Section 40-12-252, Code of Alabama 1975, as amended, relating to the basis of tax for trust trailers, tractor trailers and semitrailers, so as to authorize a five-year registration option for these vehicles as now permitted for rental utility trailers, and gives the Department of Revenue the authority to develop a promulgate reasonable rules and regulations as needed to administer the provisions of this act.

By Senator Rice:

S. 20. To provide for a supplemental appropriation of \$225,000 from the Alabama Special Educational Trust Fund to the State Department of Education for the payment of salaries of locally-funded educational personnel in the Adult Basic Education/Community Education Program for the fiscal year ending September 30, 1989.

By Senator Figures:

S. 40. To provide that the Judicial Inquiry Commission's investigative and litigation costs shall be paid out of the funds appropriated annually to the court costs fund or funds; and to provide for repayment of any refunded or recaptured amounts to the court cost fund or general fund.

Senator Horn, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Senator Horn (With Amendment):

S. 37. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, for other functions of government, for interest on the public debt, and for capital outlay for the fiscal year ending September 30, 1989.

Senator Horn, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendments, and it was read a second time and placed on the calendar, to-wit:

By Senators Dial, Cabaniss, Dixon, Horn, Smith (J), Bedsole, and Hale (With Amendments):

S. 2. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, for other functions of government, for interest on the public debt, and for capital outlay for the fiscal year ending September 30, 1989.

BILL RE-REFERRED

Senator Preuit, Chairperson of the Standing Committee on Judiciary, reported that said Committee, in session, had acted on the following Bill, and ordered same returned to the Senate with a favorable report, to-wit:

By Senator Foshee:

S. 8. Proposing an amendment to Section 65 of the Constitution of 1901, which prohibits any lottery, so as to legalize only a lottery or lotteries or any scheme in the nature of a lottery or lotteries operated by the state and in certain counties authorized by a general statute; authorizing the legislature, at its discretion, to establish a pilot program for the legalized operation of a lottery or lotteries; authorizing the legislature to regulate such operations; and allowing legislation relating to lotteries to originate in either house of the legislature.

Under the provisions of Senate Rule 51, said Bill, S. B. 8, was referred to the Standing Committee on State Development and Tourism.

ADJOURNMENT

At 2:55 P.M., Senator Corbett moved that the Senate adjourn until Wednesday, September 28, 1988, at 2 o'clock P.M.

Senator Drinkard offered a substitute motion that the Senate adjourn until Wednesday, September 28, 1988, at 10 o'clock A.M., which motion was lost.

Yeas 12; Nays 15.

Yeas:

Senators:	deGraffenried	Dixon	Hand
Bailey	Denton	Drinkard	Preuit
Bedsole	Dial	Hale	Smith (J)
Cabaniss			

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Nays:

Senators:	Bishop	Goodwin	Menton
Amari	Campbell	Holmes	Mitchem
Barron	Corbett	Horn	Rice
Bedford	Foshee	Langford	Smith (B)

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Senator Dial offered a substitute motion that the Senate adjourn until Wednesday, September 28, 1988, at 1 o'clock P.M., which motion was adopted, and at 3 o'clock P.M., the Senate adjourned until Wednesday, September 28, 1988, at 1 o'clock P.M.

THIRD LEGISLATIVE DAY
WEDNESDAY, SEPTEMBER 28, 1988

The Senate met pursuant to adjournment, Lieutenant Governor Folsom presiding.

PRAYER

The Session was opened with prayer by Senator Bill Menton, 35th Senatorial District.

PLEDGE OF ALLEGIANCE

The Senators were led in the Pledge of Allegiance to the Flag of the United States of America by Reynaldo Reese, Robert E. Lee High School, Montgomery, Alabama.

ROLL CALL

Present:

Senators:	Campbell	Figures	Manley	
Amari	Corbett	Foshee	Menton	
Bailey	Covington	Goodwin	Mitchem	
Barron	deGraffenried	Hale	Parsons	
Bedford	Denton	Hand	Preuitt	
Bedsole	Dial	Hilliard	Rice	
Bennett	Dixon	Holmes	Sanders	
Bishop	Drinkard	Horn	Smith (B)	
Cabaniss	Ellis	Langford	Smith (J)	—35

JOURNAL

On motion of Senator deGraffenried, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

**REPORT OF COMMITTEE
ON RULES ON
REVISION OF THE JOURNAL**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Second Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

BILL DRINKARD,
Chairperson.

COMMITTEE REPORT

On motion of Senator Drinkard, the foregoing report was concurred in and the Journal of the Senate for the Second Legislative Day was approved by the Senate.

INTRODUCTION OF BILLS

Upon the call of districts, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Senator Covington:

S. 52. Proposing an amendment to the Constitution of 1901, as amended, relating to the legislative process for considering the major appropriations bills for the operations of education, the operations of the executive, legislative and judicial branches of state government, the state public debt, and the other business of state government and setting a time frame therefor; and repealing Amendment No. 448 to the Constitution of 1901, as amended, Act No. 81-889, S. 32, First Special Session 1981 (Acts 1981, First, Second and Third Special Sessions, p. 25) relating to the legislative process for certain appropriations.

Committee on Judiciary.

The above Bill was read a first time at length as required by the Constitution.

By Senators Covington and Bailey:

S. 53. To amend Sections 32-9-20 and 32-9-25 of the Code of Alabama 1975 relating to motor vehicle sizes and lengths so as to further regulate the sizes and lengths of motor vehicles on highways in Alabama, and to further regulate exceptions and exemptions.

Committee on Commerce,
Transportation and Utilities.

By Senator Hand:

S. 54. To amend Section 41-23-22, Code of Alabama 1975, relating to the criteria and number of enterprise zones, so as to increase the authorized number from 25 to 27.

Committee on Governmental Affairs.

REPORTS OF COMMITTEES

Senator Drinkard, Chairperson of the Standing Committee on Banking and Insurance, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Senator Bailey:

S. 21. To mandate conversion rights for an employee or a member or his or her dependents under a group policy delivered or issued for delivery in this state which provides hospital, surgical or major medical expense insurance or any combination thereof, when said employee or member dies or when said employee's, member's or a dependent's group insurance has been terminated for any reason except: (a) nonpayment of any required contribution; or (b) replacement of any discontinued group coverage with similar group coverage within 31 days; to prescribe certain minimum benefit levels and the scope of coverage to be contained within the converted policy; to allow for termination of coverage under the converted policy due to an insured becoming eligible for Medicare coverage or coverage under any other

group policy or plan; and to allow for optional group coverage in lieu of the issuance of a converted individual policy.

Senator Manley, Chairperson of the Standing Committee on Governmental Affairs, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Senator Bedsole:

S. 51. To allow members of the United States Naval Reserve to purchase distinctive motor vehicle license plates or tags; to prohibit the transfer of such plates; to prescribe the manner of charging for such license plates or tags; and to provide for the duties and powers of the commissioner of revenue and the probate judge or license commissioner.

Senator Covington, Chairperson of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Bedford (With Notice and Proof):

S. 47. Relating to Winston County; levying a special county privilege and license tax paralleling the state sales tax levied on certain automotive vehicles provided for by section 40-23-101, Code of Alabama 1975, and a special county excise tax paralleling the state use taxes levied on the storage or use of certain automotive vehicles provided for by section 40-23-102, Code of Alabama 1975; specifying the rates at which such taxes shall be levied; providing for the ascertainment, collection, payment, distribution and use of the said taxes; providing for enforcement of this act; and providing for a referendum.

By Senator Bedford (With Notice and Proof):

S. 48. Relating to Winston County; authorizing and providing for the incorporation of the Winston County Water Coordinating and Fire Prevention Authority, as a public corporation for the purpose of furnishing water service and fire protection facilities; providing that the service area specified in the original certificate of incorporation of such authority shall lie within the boundaries of the county in which it is incorporated, but that the said service area may be extended into one or more other counties by amendment to the certificate of incorporation; providing for and authorizing the certificate of incorporation and by-laws of such authority to be amended at any time and from time to time; providing for the appointment, election and compensation of directors of such authority; providing for the powers, authorities and duties of such authority and its board of directors; providing for the development of a master plan for said authority; authorizing such authority to acquire, construct, operate and improve one or more waterworks plants, water distribution systems or fire protection facilities, or any combination of any thereof; providing for cooperation with existing water systems and any county and city governments and any council of local government; conferring on such authority the power of eminent domain; making provisions respecting the establishment, revision and collection of charges for water service and fire protection facilities or service, or either, rendered by it; authorizing and providing for the assumption by such authority of obligations respecting systems and facilities, or parts thereof, acquired by the authority; providing that contracts entered into by such authority pursuant to this act

shall not constitute or create a debt of the state or of any county, municipality or political subdivision of the state; providing that any county, municipality, other political subdivision, public corporation, or agency or instrumentality of this state may aid and cooperate with, lend or donate money to, perform services for the benefit of, and, without the necessity of an election and with or without consideration, transfer any water system, fire protection facility, or other property to such authority; providing that the rendition by such authority of water service or facilities or of fire protection service or facilities is a governmental function and to exempt such authority from all tort liability in connection with water services or facilities or with fire protection services or facilities; exempting from all taxation in this state such authority, its property, corporate activities, income, revenues, and securities, the income from its securities, conveyances, leases, and mortgages and deeds of trust to which such authority is a party, and exempting such authority from payment of certain charges to judges of probate; exempting the authority and the contracts made by it from all competitive bid laws; providing that such authority shall be exempted from regulation and supervision by the public service commission and the state department of finance; providing for the use of public roads in the state by such authority; providing for the dissolution of such authority and the disposition of its property; providing that any public corporation may convey its assets, with or without pecuniary consideration, to such authority; providing for auditing; and providing that funds of said authority may be used to aid in applying for available grants.

By Senator Bedford (With Notice and Proof):

S. 49. Relating to Marion County; authorizing and providing for the incorporation of the Marion County Water Coordinating and Fire Prevention Authority, as a public corporation for the purpose of furnishing water service and fire protection facilities; providing that the service area specified in the original certificate of incorporation of such authority shall lie within the boundaries of the county in which it is incorporated, but that the said service area may be extended into one or more other counties by amendment to the certificate of incorporation; providing for and authorizing the certificate of incorporation and by-laws of such authority to be amended at any time and from time to time; providing for the appointment, election and compensation of directors of such authority; providing for the powers, authorities and duties of such authority and its board of directors; providing for the development of a master plan for said authority; authorizing such authority to acquire, construct, operate and improve one or more waterworks plants, water distribution systems or fire protection facilities, or any combination of any thereof; providing for cooperation with existing water systems and any county and city governments and any council of local government; conferring on such authority the power of eminent domain; making provisions respecting the establishment, revision and collection of charges for water service and fire protection facilities or service, or either, rendered by it; authorizing and providing for the assumption by such authority of obligations respecting systems and facilities, or parts thereof, acquired by the authority; providing that contracts entered into by such authority pursuant to this act shall not constitute or create a debt of the state or of any county, municipality or political subdivision of the state; providing that any county, municipality, other political subdivision, public corporation, or agency or instrumentality of this state may aid and cooperate with, lend or donate money to, perform services for the benefit of, and, without the necessity of an election and with or without consideration, transfer any water system, fire protection facility, or other property to such authority; providing that the rendition by

such authority of water service or facilities or of fire protection service or facilities is a governmental function and to exempt such authority from all tort liability in connection with water services or facilities or with fire protection services or facilities; exempting from all taxation in this state such authority, its property, corporate activities, income, revenues, and securities, the income from its securities, conveyances, leases, and mortgages and deeds of trust to which such authority is a party, and exempting such authority from payment of certain charges to judges of probate; exempting the authority and the contracts made by it from all competitive bid laws; providing that such authority shall be exempted from regulation and supervision by the public service commission and the state department of finance; providing for the use of public roads in the state by such authority; providing for the dissolution of such authority and the disposition of its property; providing that any public corporation may convey its assets, with or without pecuniary consideration, to such authority; providing for auditing; and providing that funds of said authority may be used to aid in applying for available grants.

RESOLUTIONS

Senators Dial and Rice offered the following Senate Joint Resolution, to-wit:

S. J. R. 5. COMMENDING CALVIN WOOTEN OF ANNISTON, ALABAMA, FOR OUTSTANDING ACHIEVEMENT AND CONTRIBUTIONS ON BEHALF OF THE BLIND AND VISUALLY IMPAIRED.

WHEREAS, it is with great pride and pleasure that we note the selection of Calvin Wooten of Anniston, Alabama, as the recipient of the 1988 Migel Medal, layperson category, by the American Foundation for the Blind in recognition of Mr. Wooten's dedication and achievement in significantly improving the lives of blind and visually impaired people; and

WHEREAS, Mr. Wooten, blind since the age of six, is a graduate of the Alabama School for the Deaf and Blind, and is a highly successful businessman whose interests include a retail piano sales and service business, a finance company and a real estate agency; and

WHEREAS, also a prominent community leader, Mr. Wooten is a member of the Anniston Rotary Club, Calhoun County Chamber of Commerce and the American Foundation for the Blind; he further is a former three-term president of the American Council of the Blind and currently serves as vice chairman of the board of trustees for the Alabama Institute for the Deaf and Blind; and

WHEREAS, Mr. Wooten, a man of outstanding ability, ingenuity and vision, is credited, among other accomplishments, with the phenomenal increase in interest earned by AIDB, which has grown from some \$80,000 (1958-1981) to more than \$2.5 million during the period 1980-1987; and

WHEREAS, Calvin Wooten has indeed played an instrumental role in securing a better life for those who are sensory impaired, and it is with gratitude that we acknowledge his many contributions to their benefit and well being; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby most highly commend Calvin Wooten of Anniston, Alabama, for outstanding achievement and

service to others, and do further direct that he receive a copy of this resolution of sincere praise and esteem.

On motion of Senator Dial, the Rules were suspended and the Resolution was adopted by the Senate.

Senators Parsons, Cabaniss, and Denton offered the following Senate Joint Resolution, to-wit:

S. J. R. 6. COMMENDING JACK BOYKIN OF MONTROSE, ALABAMA, FOR OUTSTANDING GENEROSITY AND SERVICE TO THE ETHICS COMMISSION AND STATE OF ALABAMA.

WHEREAS, the Legislature of Alabama notes with commendation and deep appreciation the generosity of Mr. Jack Boykin, Montrose, Alabama, in his gift of a Zenith Data Systems personal computer to the State Ethics Commission; and

WHEREAS, the Ethics Commission is now in the process of customizing a software program to facilitate the department's record-keeping process, and Mr. Boykin's personal donation will enable the Commission to install the system at considerable savings to the State; and

WHEREAS, Mr. Boykin, a prominent Alabama industrialist and community leader, is a former member and chairman of the Ethics Commission, and this gift is in continuing spirit of Mr. Boykin's longtime commitment to service of great benefit to the State of Alabama and all citizens thereof; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That in appreciation and sincere praise of outstanding generosity and service to community and State, we hereby commend Jack Boykin of Montrose, Alabama, whom we hold in warmest personal regard and for whom a copy of this resolution shall be provided.

On motion of Senator Parsons, the Rules were suspended and the Resolution was adopted by the Senate.

Senators Foshee and Bedsole offered the following Senate Joint Resolution, to-wit:

S. J. R. 7. CREATING A JOINT INTERIM LEGISLATIVE COMMITTEE TO STUDY LOTTERIES.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created a joint interim legislative committee to study the feasibility of authorizing a lottery in Alabama. The committee shall be composed of three members of each house, to be appointed by the presiding officer of each house and three members to be appointed by the Governor. The chairman and vice chairman of the committee shall be elected at the first meeting by the members of the committee.

Upon the request of the chairman, the Secretary of the Senate and the Clerk of the House shall provide such clerical assistance as may be necessary for the committee's work. The committee shall report its findings, conclusions and recommendations to the legislature not later than the fifth legislative day of the 1989 Regular Session. Each member of the committee shall be entitled to his regular legislative compensation, his per diem and travel

expenses for each day he attends a meeting of the committee which shall be paid out of any funds appropriated to the use of the legislature, upon warrants drawn on the state comptroller upon requisitions signed by the committee's chairman; provided, however, that members shall not receive additional legislative compensation or per diem when the legislature is in session or if a member is being paid any other payments on the same dates for attendance of other state business. The total expenditures of the committee shall not exceed \$10,000.00.

On motion of Senator Foshee, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Smith (J) offered the following Senate Resolutions, to-wit:

S. R. 8. COMMENDING STANCEL MARTIN RILEY, JR., FOR OUTSTANDING PROFESSIONAL ACHIEVEMENT AND SERVICE.

Also:

S. R. 9. COMMENDING MARILYN T. GRUNDY OF HUNTSVILLE, ALABAMA, FOR OUTSTANDING SERVICE TO THE CHILDREN'S ADVOCACY CENTER.

Also:

S. R. 10. COMMENDING RICHARD A. TRACEY FOR OUTSTANDING CONTRIBUTIONS TO THE HUNTSVILLE, ALABAMA, HOME BUILDING INDUSTRY.

Which were filed.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
Alabama State House
Montgomery, Alabama

Lady and Gentlemen:

I herewith transmit to you a message from the Governor relative to the Alabama Real Estate Commission.

Respectfully submitted,
JAMES F. REDDOCH, JR.,
Executive Secretary.

Done this 27th day of September, 1988.

To the Senate of Alabama
Alabama State House
Montgomery, Alabama

Lady and Gentlemen:

I have appointed, subject to your confirmation, Mr. Leon Crawford of Huntsville, Alabama, to the Alabama Real Estate Commission, for the term expiring September 30, 1992, replacing Mr. Bert Danner.

Respectfully submitted,
GUY HUNT,
Governor.

Done this 27th day of September, 1988.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Alabama Real Estate Commission, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
Alabama State House
Montgomery, Alabama

Lady and Gentlemen:

I herewith transmit to you a message from the Governor relative to the Alabama Real Estate Commission.

Respectfully submitted,
JAMES F. REDDOCH, JR.,
Executive Secretary.

Done the 27th day of September, 1988.

To the Senate of Alabama
Alabama State House
Montgomery, Alabama

Lady and Gentlemen:

I have appointed, subject to your confirmation, Mr. Jim Bagwell of Birmingham, Alabama, to the Alabama Real Estate Commission, for the term expiring September 30, 1991.

Respectfully submitted,
GUY HUNT,
Governor.

Done this 27th day of September, 1988.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Alabama Real Estate Commission, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
Alabama State House
Montgomery, Alabama

Lady and Gentlemen:

I herewith transmit to you a message from the Governor relative to the Credit Union Board.

Respectfully submitted,
JAMES F. REDDOCH, JR.,
Executive Secretary.

Done this 27th day of September, 1988.

SECOND EXTRAORDINARY SESSION
3rd Day

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To the Senate of Alabama
Alabama State House
Montgomery, Alabama

Lady and Gentlemen:

I have appointed, subject to your confirmation, Ms. Sarah Norred of Montgomery, Alabama to the Credit Union Board, for the term expiring February 1, 1991.

Respectfully submitted,

GUY HUNT,
Governor.

Done this 27th day of September, 1988.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Alabama Credit Union Board, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
Alabama State House
Montgomery, Alabama

Lady and Gentlemen:

I herewith transmit to you a message from the Governor relative to the Credit Union Board.

Respectfully submitted,

JAMES F. REDDOCH, JR.,
Executive Secretary.

Done this 27th day of September, 1988.

To the Senate of Alabama
Alabama State House
Montgomery, Alabama

Lady and Gentlemen:

I have appointed, subject to your confirmation, Mr. Larry Morgan of Birmingham, Alabama to the Credit Union Board, for the term expiring February 1, 1991, replacing Mr. Tom Light.

Respectfully submitted,

GUY HUNT,
Governor.

Done this 27th day of September, 1988.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Alabama Credit Union Board, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
Alabama State House
Montgomery, Alabama

Lady and Gentlemen:

I herewith transmit to you a message from the Governor relative to the Crime Victims Compensation Commission.

Respectfully submitted,

JAMES F. REDDOCH, JR.,
Executive Secretary.

Done this 27th day of September, 1988.

To the Senate of Alabama
Alabama State House
Montgomery, Alabama

Lady and Gentlemen:

I have appointed, subject to your confirmation, Mrs. Miriam Shehane of Clio, Alabama to the Crime Victims Compensation Commission, for the term expiring on June 1, 1992.

Respectfully submitted,

GUY HUNT,
Governor.

Done this 27th day of September, 1988.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Crime Victims Compensation Commission, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
Alabama State House
Montgomery, Alabama

Lady and Gentlemen:

I herewith transmit to you a message from the Governor relative to the Crime Victims Compensation Commission.

Respectfully submitted,

JAMES F. REDDOCH, JR.,
Executive Secretary.

Done this 27th day of September, 1988.

To the Senate of Alabama
Alabama State House
Montgomery, Alabama

Lady and Gentlemen:

I have appointed, subject to your confirmation, Sgt. Joseph Connick, III of Mobile, Alabama, to the Crime Victims Compensation Commission, for the term expiring on June 1, 1991, replacing Mr. Bob Bryant.

Respectfully submitted,

GUY HUNT,
Governor.

Done this 27th day of September, 1988.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Crime Victims Compensation Commission, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
Alabama State House
Montgomery, Alabama

Lady and Gentlemen:

I herewith transmit to you a message from the Governor relative to the Crime Victims Compensation Commission.

Respectfully submitted,

JAMES F. REDDOCH, JR.,
Executive Secretary.

Done this 27th day of September, 1988.

To the Senate of Alabama
Alabama State House
Montgomery, Alabama

Lady and Gentlemen:

I have appointed, subject to your confirmation, Mrs. Teresa Petelos of Birmingham, Alabama to the Crime Victims Compensation Commission, for the term expiring on June 1, 1990, replacing Mr. Wilby Wallace.

Respectfully submitted,

GUY HUNT,
Governor.

Done this 27th day of September, 1988.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Crime Victims Compensation Commission, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
Alabama State House
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor relative to the Alabama Securities Commission.

Respectfully submitted,
JAMES F. REDDOCH, JR.,
Executive Secretary.

Done this 27th day of September, 1988.

To the Senate of Alabama
Alabama State House
Montgomery, Alabama

Lady and Gentlemen:

I have appointed, subject to your confirmation, Mr. Samuel F. Parker, Jr. of Montgomery, Alabama, to the Alabama Securities Commission, replacing Marcus J. Wolf, for the term expiring on October 31, 1991.

Respectfully submitted,
GUY HUNT,
Governor.

Done this 27th day of September, 1988.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Alabama Securities Commission, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
Alabama State House
Montgomery, Alabama

Lady and Gentlemen:

I herewith transmit to you a message from the Governor relative to the Gulf States Marine Fisheries Commission.

Respectfully submitted,
JAMES F. REDDOCH, JR.,
Executive Secretary.

Done this 27th day of September, 1988.

To the Senate of Alabama
Alabama State House
Montgomery, Alabama

Lady and Gentlemen:

I have appointed, subject to your confirmation, Mr. John Ray Nelson of Bon Secour, Alabama, to the Gulf States Marine Fisheries Commission for the term expiring July 1, 1991.

Respectfully submitted,
GUY HUNT,
Governor.

Done this 27th day of September, 1988.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Gulf States Marine Fisheries Commission, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
Alabama State House
Montgomery, Alabama

Lady and Gentlemen:

I herewith transmit to you a message from the Governor relative to the Agriculture and Industries Board.

Respectfully submitted,
JAMES F. REDDOCH, JR.,
Executive Secretary.

Done this 27th day of September, 1988.

To the Senate of Alabama
Alabama State House
Montgomery, Alabama

Lady and Gentlemen:

I have appointed, subject to your confirmation, Mr. Jessie Cornelison of Scottsboro, Alabama, to the Agriculture and Industries Board, for the term expiring in January, 1991.

Respectfully submitted,
GUY HUNT,
Governor.

Done this 27th day of September, 1988.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Agriculture and Industries Board, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
Alabama State House
Montgomery, Alabama

Lady and Gentlemen:

I herewith transmit to you a message from the Governor concerning the Agriculture and Industries Board.

Respectfully submitted,

JAMES F. REDDOCH, JR.,
Executive Secretary.

Done this 27th day of September, 1988.

To the Senate of Alabama
Alabama State House
Montgomery, Alabama

Lady and Gentlemen:

I have appointed, subject to your confirmation, Mr. William Deal of Headland, Alabama, to the Agriculture and Industries Board, for the term expiring in January, 1991.

Respectfully submitted,

GUY HUNT,
Governor.

Done this 27th day of September, 1988.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Agriculture and Industries Board, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
Alabama State House
Montgomery, Alabama

Lady and Gentlemen:

I herewith transmit to you a message from the Governor relative to the Agriculture and Industries Board.

Respectfully submitted,

JAMES F. REDDOCH, JR.,
Executive Secretary.

Done this 27th day of September, 1988.

To the Alabama Senate
Alabama State House
Montgomery, Alabama

Lady and Gentlemen:

I have appointed, subject to your confirmation, Mr. Morgan W. Edwards of Cullman, Alabama, to the Agriculture and Industries Board for the term expiring in January, 1991.

Respectfully submitted,

GUY HUNT,
Governor.

Done this 27th day of September, 1988.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Agriculture and Industries Board, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
Alabama State House
Montgomery, Alabama

Lady and Gentlemen:

I herewith transmit to you a message from the Governor relative to the Agriculture and Industries Board.

Respectfully submitted,

JAMES F. REDDOCH, JR.,
Executive Secretary.

Done this 27th day of September, 1988.

To the Alabama Senate
Alabama State House
Montgomery, Alabama

Lady and Gentlemen:

I have appointed, subject to your confirmation, Mr. Michael Smith of Verbena, Alabama, to the Agriculture and Industries Board, for the term expiring in January, 1991.

Respectfully submitted,

GUY HUNT,
Governor.

Done this 27th day of September, 1988.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Agriculture and Industries Board, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
Alabama State House
Montgomery, Alabama

Lady and Gentlemen:

I herewith transmit to you a message from the Governor relative to the Agriculture and Industries Board.

Respectfully submitted,

JAMES F. REDDOCH, JR.,
Executive Secretary.

Done this 27th day of September, 1988.

To the Senate of Alabama
Alabama State House
Montgomery, Alabama

Lady and Gentlemen:

I have appointed, subject to your confirmation, Mr. Lester Woerner of Elberta, Alabama, to the Agriculture and Industries Board, for the term expiring in January, 1991.

Respectfully submitted,

GUY HUNT,
Governor.

Done this 27th day of September, 1988.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Agriculture and Industries Board, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
Alabama State House
Montgomery, Alabama

Lady and Gentlemen:

I herewith transmit to you a message from the Governor relative to the Agriculture and Industries Board.

Respectfully submitted,

JAMES F. REDDOCH, JR.,
Executive Secretary.

Done this 27th day of September, 1988.

To the Alabama Senate
Alabama State House
Montgomery, Alabama

Lady and Gentlemen:

I have appointed, subject to your confirmation, Mr. Norman Burch of Grand Bay, Alabama, to the Agriculture and Industries Board, for the term expiring in January 1991.

Respectfully submitted,
GUY HUNT,
Governor.

Done this 27th day of September, 1988.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Agriculture and Industries Board, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
Alabama State House
Montgomery, Alabama

Lady and Gentlemen:

I herewith transmit to you a message from the Governor relative to the Agriculture and Industries Board.

Respectfully submitted,
JAMES F. REDDOCH, JR.,
Executive Secretary.

Done this 27th day of September, 1988.

To the Alabama Senate
Alabama State House
Montgomery, Alabama

Lady and Gentlemen:

I have appointed, subject to your confirmation, Mr. Calvin Weaver of Wedowee, Alabama, to the Agriculture and Industries Board, for the term expiring in January, 1991.

Respectfully submitted,
GUY HUNT,
Governor.

Done this 27th day of September, 1988.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Agriculture and Industries Board, was read and referred to the Standing Committee on Rules.

RESOLUTION RECONSIDERED

On motion of Senator Bedsole, the Senate reconsidered the vote by which the Resolution, S. J. R. 7, was adopted.

Senator Bedsole then offered the following substitute for the Resolution, S. J. R. 7, to-wit:

S. J. R. 7. CREATING A JOINT INTERIM LEGISLATIVE COMMITTEE TO STUDY LOTTERIES.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created a joint interim legislative committee to study the feasibility of authorizing a lottery in Alabama. The committee shall be composed of three members of each house, to be appointed by the presiding officer of each house and three members to be appointed by the Governor. The chairman and vice chairman of the committee shall be elected at the first meeting by the members of the committee.

Upon the request of the chairman, the Secretary of the Senate and the Clerk of the House shall provide such clerical assistance as may be necessary for the committee's work. The committee shall report its findings, conclusions and recommendations to the legislature not later than the fifth legislative day of the 1989 Regular Session. Each member of the committee shall be entitled to his regular legislative compensation, his per diem and travel expenses for each day he attends a meeting of the committee which shall be paid out of any funds appropriated to the use of the legislature, upon warrants drawn on the state comptroller upon requisitions signed by the committee's chairman; provided, however, that members shall not receive additional legislative compensation or per diem when the legislature is in session or if a member is being paid any other payments on the same dates for attendance of other state business. Further, the committee shall have the authority by majority vote of all members present and voting to utilize the professional services of individuals recognized for their knowledge in the area of lotteries. The total expenditures of the committee shall not exceed \$25,000.00.

Which was adopted.

And on motion of Senator Bedsole, the Resolution, S. J. R. 7, as thus amended by the substitute, was again adopted by the Senate.

BILLS ON THIRD READING**THE BILL:**

S. 5. Relating to Jefferson County, amending Act No. 1272, H. 620, 1973 Regular Session, which provides for a pension and retirement system in the City of Birmingham, so as to provide further for the investment of pension funds.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

SECOND EXTRAORDINARY SESSION
3rd Day

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Yeas 25; Nays 0.

Yeas:

Senators:	Covington	Figures	Manley	
Amari	deGraffenried	Foshee	Menton	
Barron	Denton	Goodwin	Parsons	
Bedford	Dial	Hale	Sanders	
Bennett	Dixon	Hilliard	Smith (B)	
Cabaniss	Drinkard	Horn	Smith (J)	
Corbett	Ellis			—25

Nays: —0

THE BILL:

S. 38. Proposing an amendment to Amendment No. 448 of the Constitution of Alabama of 1901, as amended, which provides that the paramount duty of the legislature shall be to make basic appropriations at regular sessions so as to provide that the provision shall not take effect until the 16th legislative day of each regular session and it removes the provision allowing the legislature to pass a resolution (B. I. R.) suspending the provisions of this constitutional requirement.

was taken up.

Senator Foshee offered the following amendment to the Bill, S. B. 38, to-wit:

AMENDMENT TO S. B. 38

Amend Senate Bill No. 38 Page 3 Line 2, by striking out January 1, 1989 and inserting in lieu thereof "the adoption of this amendment as provided for in Section 2"

Which was adopted.

Yeas 22; Nays 0.

Yeas:

Senators:	Cabaniss	Foshee	Manley	
Amari	Campbell	Goodwin	Menton	
Bailey	Dial	Hale	Parsons	
Bedford	Dixon	Hand	Preuitt	
Bedsole	Drinkard	Hilliard	Rice	
Bishop	Ellis	Horn		—22

Nays: —0

And said Bill, S. B. 38, as thus amended, was read a third time at length as required by the Constitution and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 22; Nays 0.

Yeas:

Senators:	Bishop	Ellis	Horn	
Amari	Cabaniss	Foshee	Menton	
Bailey	Campbell	Goodwin	Preuitt	
Bedford	Corbett	Hale	Rice	
Bedsole	Dixon	Hand	Smith (J)	
Bennett	Drinkard	Hilliard		—22

Nays: —0

THE BILL:

S. 15. To provide that it is unlawful to use a firearm or archery tackle in a criminally negligent manner related to hunting; to provide for three degrees of such negligence; to provide for fines and imprisonment as punishment, without suspension of sentence; to provide for the forfeiture and suspension of hunting licenses; to provide for penalties for hunting during the time of such suspension; to provide for completion of a hunter safety program prior to obtaining a subsequent hunting license; and to provide that monetary penalties shall be remitted to the Alabama crime victims compensation commission for restitution, so as to compensate the victim or dependents of the victim of such criminally negligent act related to hunting.

was taken up.

On motion of Senator Rice, further consideration of the Bill was postponed temporarily.

Senator Rice requested and received permission to suspend the Rules in order to bring up the Bill:

S. 16. To further amend Section 40-12-252, Code of Alabama 1975, as amended, relating to the basis of tax for truck trailers, tractor trailers and semitrailers, so as to authorize a five-year registration option for these vehicles as now permitted for rental utility trailers, and gives the Department of Revenue the authority to develop and promulgate reasonable rules and regulations as needed to administer the provisions of this act.

And said Bill, S. B. 16, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 23; Nays 1.

Yeas:

Senators:	Campbell	Foshee	Langford	
Bailey	Denton	Goodwin	Manley	
Bedford	Dial	Hale	Menton	
Bedsole	Dixon	Hand	Preuitt	
Bennett	Drinkard	Hilliard	Rice	
Cabaniss	Ellis	Holmes	Smith (J)	—23

Nay: Senator Corbett —1

THE BILL:

S. 19. To amend Section 35-12-32, Code of Alabama 1975, relating to the Alabama Uniform Disposition of Unclaimed Property Act, so as to require that the Revenue Department establish a list of unclaimed property owners to assist individuals or organizations engaged in the practice of seeking, for a fee, the owners of abandoned or unclaimed property reported to the State; to establish the fee which a "finder" may charge an abandoned or unclaimed property owner; to authorize a charge to offset the cost of producing the listing; and to provide for the disposition of revenue received from listing sales.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

SECOND EXTRAORDINARY SESSION
3rd Day

45

Yeas 24; Nays 0.

Yeas:

Senators:	Campbell	Foshee	Manley
Amari	Corbett	Goodwin	Menton
Bailey	Denton	Hale	Mitchem
Bedford	Dixon	Hand	Preuitt
Bennett	Drinkard	Horn	Rice
Bishop	Ellis	Langford	Smith (J)
Cabaniss			

—24

Nays: —0

THE BILL:

S. 39. To amend Section 34-6-12, Code of Alabama 1975, which prohibits the sale of alcoholic beverages in billiard rooms, so as to delete said prohibition.

was taken up.

The Standing Committee on Judiciary reported the following amendment to the Bill, S. B. 39, to-wit:

AMENDMENT TO S. B. 39

Amend S. B. 39, Page 1, Line 33 by inserting after the word "business" the following:

"and that no intoxicating liquors shall be sold, served, or allowed to be used in or on the premises except for beer or malt liquor."

Which was adopted.

Yeas 18; Nays 5.

Yeas:

Senators:	Cabaniss	Drinkard	Langford
Bailey	Campbell	Foshee	Manley
Bedsole	Corbett	Goodwin	Menton
Bennett	Denton	Hand	Rice
Bishop	Dixon	Hilliard	

—18

Nays:

Senators:	Bedford	Mitchem	Preuitt
Amari	Hale		

—5

On motion of Senator Bennett, further consideration of the Bill, S. B. 39, as thus amended, was postponed subject to the call of the Chair.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
Alabama State House
Montgomery, Alabama

Lady and Gentlemen:

I herewith transmit to you a message from the Governor relative to the Surface Mining Commission.

Respectfully submitted,
JAMES F. REDDOCH, JR.,
Executive Secretary.

Done this 27th day of September, 1988.

JOURNAL OF THE SENATE, 1988
3rd Day

To the Senate of Alabama
Alabama State House
Montgomery, Alabama

Lady and Gentlemen:

I have appointed, subject to your confirmation, Mr. John M. Cardwell, Jr. of Birmingham, Alabama to the Surface Mining Commission for the term expiring on June 30, 1992.

Respectfully submitted,

GUY HUNT,
Governor.

Done this 27th day of September, 1988.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Surface Mining Commission, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
Alabama State House
Montgomery, Alabama

Lady and Gentlemen:

I herewith transmit to you a message from the Governor relative to the Surface Mining Commission.

Respectfully submitted,

JAMES F. REDDOCH, JR.,
Executive Secretary.

Done this 27th day of September, 1988.

To the Senate of Alabama
Alabama State House
Montgomery, Alabama

Lady and Gentlemen:

I have appointed, subject to your confirmation, Mr. Charles Gilbreath of Double Springs, Alabama, to the Surface Mining Commission, for the term expiring on June 30, 1991, replacing Mr. Samuel M. Hill.

Respectfully submitted,

GUY HUNT,
Governor.

Done this 27th day of September, 1988.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Surface Mining Commission, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
Alabama State House
Montgomery, Alabama

Lady and Gentlemen:

I herewith transmit to you a message from the Governor relative to the Surface Mining Commission.

Respectfully submitted,

JAMES F. REDDOCH, JR.,
Executive Secretary.

Done this 27th day of September, 1988.

To the Senate of Alabama
Alabama State House
Montgomery, Alabama

Lady and Gentlemen:

I have appointed, subject to your confirmation, Mr. Edward O'Neal Shipman of Double Springs, Alabama, to the Surface Mining Commission, replacing Dr. David J. Rowland, for the term expiring on June 30, 1991.

Respectfully submitted,

GUY HUNT,
Governor.

Done this 27th day of September, 1988.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Surface Mining Commission, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
Alabama State House
Montgomery, Alabama

Lady and Gentlemen:

I herewith transmit to you a message from the Governor relative to the Surface Mining Commission.

Respectfully submitted,

JAMES F. REDDOCH, JR.,
Executive Secretary.

Done this 27th day of September, 1988.

To the Senate of Alabama
Alabama State House
Montgomery, Alabama

Lady and Gentlemen:

I have appointed, subject to your confirmation, Mr. Robert A. Jones, Jr. of Birmingham, Alabama to the Surface Mining Commission, for the term expiring on June 30, 1992, replacing Mr. W. Alan Summers.

Respectfully submitted,

GUY HUNT,
Governor.

Done this 27th day of September, 1988.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Surface Mining Commission, was read and referred to the Standing Committee on Rules.

FURTHER CONSIDERATION OF S. B. 39, AS AMENDED

The Senate proceeded to further consideration of the Bill, S. B. 39, as amended.

Senator Preuitt offered the following amendment to the Bill, S. B. 39, as amended, to-wit:

AMENDMENT TO S. B. 39, AS AMENDED

Amend Senate Bill No. 39 Page 2 Line 1, by inserting after the word "legion".

Nothing in this act shall apply to a business whose primary function is a pool hall.

On motion of Senator Parsons, further consideration of the Bill, S. B. 39, as amended, and pending amendment, was postponed temporarily.

REPORT FROM RULES

Senator Drinkard, Chairperson of the Standing Committee on Rules, reported that said Committee, in session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Mr. John M. Cardwell, Jr., to the Surface Mining Commission

On motion of Senator Bishop, the appointment of Mr. Cardwell was confirmed by the Senate.

Yeas 21; Nays 0.

Yeas:

Senators:	Dial	Hale	Mitchem
Amari	Dixon	Hand	Parsons
Bedsole	Drinkard	Horn	Preuitt
Bishop	Ellis	Langford	Rice
Campbell	Foshee	Manley	Smith (J)
Corbett	Goodwin		

—21

Nays:

—0

Senator Drinkard, Chairperson of the Standing Committee on Rules, then reported that said Committee, in session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Mr. Charles Gilbreath to the Surface Mining Commission

On motion of Senator Bishop, the appointment of Mr. Gilbreath was confirmed by the Senate.

Yeas 26; Nays 0.

Yeas:

Senators:	Campbell	Foshee	Manley	
Amari	Corbett	Goodwin	Mitchem	
Barron	Denton	Hale	Parsons	
Bedford	Dial	Hilliard	Preuitt	
Bennett	Dixon	Holmes	Rice	
Bishop	Drinkard	Horn	Smith (J)	
Cabaniss	Figures	Langford		—26

Nays: —0

Senator Drinkard, Chairperson of the Standing Committee on Rules, then reported that said Committee, in session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Mr. Robert A. Jones, Jr., to the Surface Mining Commission

On motion of Senator Bishop, the appointment of Mr. Jones was confirmed by the Senate.

Yeas 21; Nays 0.

Yeas:

Senators:	Corbett	Goodwin	Langford	
Amari	Denton	Hale	Manley	
Barron	Dial	Hilliard	Mitchem	
Bennett	Drinkard	Holmes	Preuitt	
Bishop	Figures	Horn	Smith (J)	
Cabaniss	Foshee			—21

Nays: —0

Senator Drinkard, Chairperson of the Standing Committee on Rules, then reported that said Committee, in session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Mr. Edward Shipman to the Surface Mining Commission

Senator Corbett moved that consideration of the confirmation of Mr. Shipman be postponed temporarily.

Senator Bishop moved that the motion to postpone be laid on the table, which motion was lost.

The question recurred on the motion of Senator Corbett that further consideration of the confirmation be postponed temporarily, which motion was lost.

Yeas 9; Nays 10.

Yeas:

Senators:	Bedsole	Figures	Langford	
Amari	Campbell	Goodwin	Parsons	
Bedford	Corbett			—9

Nays:

Senators:	Cabaniss	Foshee	Preuitt	
Barron	Dial	Hale	Smith (J)	
Bishop	Dixon	Mitchem		—10

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following engrossed Senate Bill with the original Senate Bill, and finds same correctly engrossed, to-wit:

S. 38. Proposing an amendment to Amendment No. 448 of the Constitution of Alabama of 1901, as amended, which provides that the paramount duty of the legislature shall be to make basic appropriations at regular sessions so as to provide that the provision shall not take effect until the 16th legislative day of each regular session and it removes the provision allowing the legislature to pass a resolution (B. I. R.) suspending the provisions of this constitutional requirement.

BILL DRINKARD,
Chairperson.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following engrossed Senate Joint Resolution with the original Senate Joint Resolution, and finds same correctly engrossed, to-wit:

S. J. R. 7. CREATING A JOINT INTERIM LEGISLATIVE COMMITTEE TO STUDY LOTTERIES.

BILL DRINKARD,
Chairperson.

RECESS

At 3:45 P.M., Senator Foshee moved that the Senate take a recess until 12 o'clock Midnight.

Senator Manley offered a substitute motion that the Senate take a recess until 11:50 P.M., which motion was adopted.

At 11:50 P.M., the recess period having expired, the Senate was called to order by Lieutenant Governor Folsom. A quorum of the Senate was present.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Harper:

H. 45. To delete or restrict certain deductions from gross income for Alabama Income Tax purposes.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 45—to the Committee on Finance and Taxation

RESOLUTIONS

Senator Hale offered the following Senate Resolutions, to-wit:

S. R. 11. MOURNING THE DEATH OF JACOB HUBERT RICHTER OF CULLMAN, ALABAMA.

Also:

S. R. 12. COMMENDING BILL MANGUM FOR DISTINGUISHED SERVICE TO THE CITY AND CITIZENS OF CULLMAN, ALABAMA.

Also:

S. R. 13. COMMENDING JACK K. SIDES FOR DISTINGUISHED SERVICE AS MAYOR OF THE CITY OF CULLMAN.

Which were filed.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Harper:

H. 14. To amend Section 40-12-227 of the Code of Alabama, 1975 relating to the disposition of tax proceeds on the leasing or renting of tangible personal property.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 14—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Harper:

H. 15. To amend Section 40-26-20 of the Code of Alabama, 1975 relating to the disposition of proceeds from the transient occupancy tax.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 15—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Rep. Turner:

H. 8. To levy a privilege tax, on the pari-mutuel pool at any dog race track in the State of Alabama; to provide for the total take out by a licensee on pari-mutuel pools; to provide for the assessment and collection of such tax; to confer powers and impose duties on the Department of Revenue; to prescribe penalties for non-compliance; to provide for the distribution of the proceeds of such tax; and to provide for the requirements and procedures for the withholding of income tax due the State of Alabama on certain winnings from gambling and wagering and the requirements and procedures for the remittance of such withholding to the Department of Revenue.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 8—to the Committee on State Development and Tourism

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Harper:

H. 9. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, for other functions of government, for interest on the public debt, and for capital outlay for the fiscal year ending September 30, 1989.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 9—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Harper:

H. 27. To make an appropriation of \$30,000 from the State General Fund to the Pea River Historical Society for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 27—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Harper:

H. 25. To make an appropriation of \$75,000 from the State General Fund to Alabama Travel Council for the fiscal year ending September 30,

1989, and to require an operations plan and audited financial statement prior to release of any funds.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 25—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Harper:

H. 30. To make an appropriation of \$30,000 from the State General Fund to Helen Keller Property Board for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 30—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Harper:

H. 29. To make an appropriation of \$5,000 from the State General Fund to Lee County Historical Society and Museum for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 29—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Harper:

H. 24. To make an appropriation from the State General Fund to the Wallace Industrial Air Park for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 24—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Harper:

H. 23. To make an appropriation from the State General Fund in the amount of \$50,000 to the Alabama Mining Museum in Dora, Alabama for the fiscal year ending September 30, 1989 and to require an operations plan and audited financial statement prior to release of any funds.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 23—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Harper:

H. 10. To provide for the creation of a special account to which the Legislature shall appropriate certain funds to prevent proration in the Alabama Special Educational Trust Fund; to prescribe criteria and procedures

for withdrawals from such account in years of proration or in emergency situations as may be determined by the Legislature; to make annual appropriations to such account until a certain amount is established and to provide that such amount shall be maintained in separate trust from year to year except during years of proration in the Alabama Special Educational Trust Fund and in emergencies; to prescribe procedures and criteria for reimbursement to such account after withdrawals; to provide for the retention of accrued interest; to provide for an effective date; and to repeal conflicting provisions.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 10—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Harper:

H. 31. To make an appropriation of \$50,000 from the State General Fund to W.C. Handy Property Board for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 31—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Harper:

H. 28. To make an appropriation of \$50,000 from the State General Fund to the Mountain Lakes Tourist Association for the fiscal year ending September 30, 1989.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 28—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. White (G) and Slaughter:

H. 40. To amend Section 40-12-223, Code of Alabama 1975, for the purpose of exempting from the leasing tax imposed by Sections 40-12-220 through 40-12-227, Code of Alabama 1975, the gross proceeds derived from the leasing of tangible personal property pursuant to a sale-lease back financing that meets certain conditions, including the initial acquisition of such property by the lessee or by an entity controlled by, or under common control with, the lessee, the subsequent sale of such property to the lessor, and the leasing back of such property from the lessor by the lessee pursuant to a lease which, among other things, has a term of not less than fifteen years and does not constitute a sale for either Alabama or federal income tax purposes or both.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 40—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Harper:

H. 26. To make an appropriation of \$50,000 from the State General Fund to the Southern Museum of Flight for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 26—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Harper:

H. 22. To make an appropriation of \$20,000 from the State General Fund to Fort Payne Depot for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 22—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Harper:

H. 21. To make an appropriation of \$200,000 from the State General Fund to Fort Gaines for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 21—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Carothers and Faulk:

H. 38. Relating to the eradication and control of swine diseases; to make a conditional appropriation to the Department of Agriculture and Industries for the fiscal year ending September 30, 1989, to indemnify owners

of swine for the value of any swine ordered condemned and destroyed for the prevention and eradication of the disease of hog cholera, African swine fever and other swine diseases.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 38—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Harper:

H. 20. To make an appropriation of \$50,000 from the State General Fund to Desoto Commission for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 20—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Harper:

H. 17. To make an appropriation of \$100,000 from the State General Fund to America's Junior Miss Pageant, Inc. for the fiscal year ending September 30, 1989.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 17—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Harper:

H. 19. To make an appropriation for the support and maintenance of the Cleveland Avenue YMCA for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 19—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Harper:

H. 18. To make an appropriation of \$20,000 from the State General Fund to Brierfield Ironworks for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 18—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Harper:

H. 16. To make an appropriation from the State General Fund to the Mallard Fox Creek Port and Industrial Park for the fiscal year ending

September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 16—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Haynes:

H. 5. This bill provides for an exception to the confidentiality provision of Chapter 11a of Title 22, Code of Alabama 1975, when a potential risk exists in the spread of a contagious disease by authorizing the State Committee of Public Health to establish guidelines for notification of pre-hospital transport agencies, funeral directors, school superintendents and others when indicated. The bill further sets penalties for violation.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 5—to the Committee on Judiciary

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Hamilton:

H. J. R. 22. COMMENDING THE OFFICIALS AND EMPLOYEES OF THE ROGERSVILLE WATER DEPARTMENT FOR OUTSTANDING ACHIEVEMENT.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 22, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Mathis:

H. 44. To amend Sections 32-9-20 and 32-9-25 of the Code of Alabama 1975 relating to motor vehicle sizes and lengths so as to further regulate the sizes and lengths of motor vehicles on highways in Alabama, and to further regulate exceptions and exemptions.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 44—to the Committee on Commerce, Transportation, and Utilities

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Knight:

H. 7. Relating to motor vehicle licenses, registration and parking; to amend Sections 32-6-230, 32-6-231, 32-6-232, 32-6-233, 32-6-233.1 and 32-6-234 of the Code of Alabama 1975, so as to provide that certain temporarily handicapped individuals shall be granted temporary identification placards for use in special parking places reserved for handicapped persons; to authorize reciprocal agreements with other states regarding such parking places and to provide penalties for misuse and abuse of such parking places.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 7—to the Committee on Commerce, Transportation, and Utilities

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Mathis:

H. 33. Proposing an amendment to the Constitution of 1901, as amended, relating to the legislative process for considering the major appropriations

bills for the operations of education, the operations of the executive, legislative and judicial branches of state government, the state public debt, and the other business of state government and setting a time frame therefor; and repealing Amendment No. 448 to the Constitution of 1901, as amended, Act No. 81-889, S. 32, First Special Session 1981 (Acts 1981, First, Second and Third Special Sessions, p. 25) relating to the legislative process for certain appropriations.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 33—to the Committee on Judiciary

(The above Bill was read a first time at length as required by the Constitution.)

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Turnham:

H. 32. Providing for elected superintendents of education to participate in the teachers' retirement system upon ratification of an amendment to the Constitution of Alabama 1901 allowing such elected superintendents to participate in such retirement system.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 32—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Venable:

H. 39. To amend further section 17-4-156, Code of Alabama 1975, as amended, relating to meeting days of the boards of registrars, so as to provide further for such meeting days and to provide an effective date.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 39—to the Committee on Governmental Affairs

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Slaughter:

H. 42. To amend Section 39-1-1, Code of Alabama 1975, requiring bonds for persons, firms or corporations contracting with the state or political subdivisions thereof for repair or construction of public buildings, works, highways or bridges, by adding at the end of subsection (a) of the existing section a provision adding public corporations and authorities as political subdivisions covered by the section, but providing for the exemption, from the requirements of the section, of any real or personal property leased to a private entity and owned by a private entity for Alabama or federal income tax purposes.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 42—to the Committee on Finance and Taxation

ADJOURNMENT

At 11:55 P.M., on motion of Senator Manley, pending further consideration of the confirmation of Mr. Shipman to the Surface Mining Commission, the Senate adjourned until Thursday, September 29, 1988, at 1 o'clock P.M.

FOURTH LEGISLATIVE DAY
THURSDAY, SEPTEMBER 29, 1988

The Senate met pursuant to adjournment, Lieutenant Governor Folsom presiding.

PRAYER

The Session was opened with prayer by Senator Earl Goodwin, 24th Senatorial District.

PLEDGE OF ALLEGIANCE

The Senators were led in the Pledge of Allegiance to the Flag of the United States of America by Alex Dontchos, Robert E. Lee High School, Montgomery, Alabama.

ROLL CALL

Present:

Senators:	Campbell	Foshee	Manley
Amari	Corbett	Goodwin	Menton
Barron	deGraffenried	Hale	Parsons
Bedford	Denton	Hand	Preuitt
Bedsole	Dial	Hilliard	Rice
Bennett	Dixon	Holmes	Sanders
Bishop	Drinkard	Horn	Smith (J)
Cabaniss	Figures		

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JOURNAL

On motion of Senator deGraffenried, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

**REPORT OF COMMITTEE
ON RULES ON
REVISION OF THE JOURNAL**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Third Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

BILL DRINKARD,
Chairperson.

COMMITTEE REPORT

On motion of Senator Drinkard, the foregoing report was concurred in and the Journal of the Senate for the Third Legislative Day was approved by the Senate.

LEAVE OF ABSENCE

On motion of Senator deGraffenried, leave of absence was granted Senators Bailey, Covington, Ellis, Langford, Mitchem, and Smith (B) for today.

RESOLUTIONS

Senators Dial, Amari, Bailey, Barron, Bedford, Bedsole, Bishop, Cabaniss, Campbell, Corbett, Covington, deGraffenried, Denton, Dixon, Drinkard, Ellis, Figures, Foshee, Goodwin, Hale, Hand, Hilliard, Holmes, Horn, Langford, Manley, Menton, Mitchem, Parsons, Preuitt, Rice, Sanders, Smith (B), and Smith (J) offered the following Senate Joint Resolution, to-wit:

S. J. R. 14. NAMING H. B. 6, ACT NO. 88-873, THE "CAMPBELL-BENNETT ACT."

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That H. B. 6, which became Act No. 88-873 of the 1988 First Special Session and which has been termed the "Fair Campaign Practices Act," is hereby named and designated as the "Campbell-Bennett Act."

On motion of Senator Dial, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Bennett offered the following Senate Joint Resolution, to-wit:

S. J. R. 15. CREATING A STATE ENVIRONMENTAL LAW ENFORCEMENT COMMITTEE.

WHEREAS, Alabama is a member of The National Environmental Enforcement Council; said National Council being responsible for coordinating environmental law enforcement across the nation; and

WHEREAS, Alabama has been instrumental in creating a Regional Environmental Enforcement Network known as the Southern Environmental Enforcement network; and

WHEREAS, There is a need to establish a State-wide Environmental Enforcement organization to interface with the Regional and National organizations.

BE IT FURTHER RESOLVED BY THE LEGISLATURE OF ALABAMA BOTH HOUSES THEREOF CONCURRING, That a State Environmental Law Enforcement Committee consisting of one representative from the Alabama Bureau of Investigations, and one enforcement attorney from the Department of Conservation and Natural Resources, one enforcement attorney from the Alabama Department of Environmental Management, one enforcement attorney from the State Health Department, one enforcement attorney from the Alabama Surface Mining Commission, one enforcement attorney from the Attorney General's office, one attorney from the Oil and Gas Board, and one representative from the District Attorneys Association is hereby created; and

BE IT FURTHER RESOLVED that the State Environmental Enforcement Committee meet at least quarterly in the offices of the Attorney General, who shall chair the committee, to insure coordination with regional and national environmental enforcement organizations and that no appropriations be made to said Environmental Enforcement Committee.

Which was read and referred to the Standing Committee on Rules.

INTRODUCTION OF BILLS

Upon the call of districts, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Senator Menton:

S. 55. To amend Section 40-9-1, Code of Alabama 1975, which provides for exemptions from ad valorem taxes, so as to exempt property owned by the Disabled American Veterans.

Committee on Finance and Taxation.

By Senator Hilliard:

S. 56. To permit an authorizing subdivision to exercise police powers on airport authority property; and to amend Section 4-3-47, Code of Alabama 1975, which pertains to the powers of an airport authority, to provide that jurisdiction over misdemeanors committed on the property of an airport authority shall be vested in the courts of any municipality that is an authorizing subdivision when no county is an authorizing subdivision.

Committee on Commerce,
Transportation, and Utilities.

RESOLUTIONS

Senators Bedford, Amari, Bailey, Barron, Bedsole, Bennett, Bishop, Cabaniss, Campbell, Corbett, Covington, deGraffenried, Denton, Dial, Dixon, Drinkard, Ellis, Figures, Foshee, Goodwin, Hale, Hand, Hilliard, Holmes, Horn, Langford, Manley, Menton, Mitchem, Parsons, Preuitt, Rice, Sanders, Smith (B), and Smith (J) offered the following Senate Joint Resolution, to-wit:

S. J. R. 16. MOURNING THE DEATH OF JAMES WALSTON HESTER OF RUSSELLVILLE, ALABAMA.

WHEREAS, the Legislature of Alabama grievously records the death of James Walston Hester of Russellville, Alabama, on July 2, 1988, at the age of 75 years; and

WHEREAS, a native of Franklin County, Mr. Hester was a graduate of Auburn University and former member of the Auburn Board of Trustees; a United States Army veteran; a member of the First Baptist Church of Russellville and organizer of the T. R. Pritchard Sunday School; and a charter member of the Lions Club; and

WHEREAS, he also was a director on several bank boards, past president of First State Bank of Phil Campbell, an organizer of the Russellville Marching Hundred Band and, at the time of his death, was serving in semi-retirement as a real estate broker; and

WHEREAS, Walston Hester further served as a member of the Alabama House of Representatives from 1962 to 1966 and it was during this time that he sponsored legislation to create the Alabama College System; he was instrumental, as well, in the development of the system which includes Northwest Alabama State Junior College, the state's first junior college, and served as president of the Board of Directors of the Northwest Junior College Foundation; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we are deeply saddened by the death of James Walston Hester of Russellville, Alabama, and extend sincere and deepest sympathy to his beloved wife, Mrs. Jewel Chenault Hester;

daughter, Judy Joy Hester Bodie; and to other family members, whose sorrow we share and for whom a copy of this resolution shall be provided.

On motion of Senator Bedford, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Bedford then offered the following Senate Resolutions, to-wit:

S. R. 17. COMMENDING DONNIE BRYAN OF RUSSELLVILLE, ALABAMA, FOR OUTSTANDING ACHIEVEMENT.

Also:

S. R. 18. MOURNING THE DEATH OF REX JULIUS WILLIFORD OF HACKLEBURG, ALABAMA.

Also:

S. R. 19. CONGRATULATING MRS. MAMIE BRITNELL OF FRANKLIN COUNTY, ON THE OCCASION OF HER 100TH BIRTHDAY.

Also:

S. R. 20. COMMENDING IRENE H. GIBSON OF HALEYVILLE, ALABAMA, FOR OUTSTANDING ACHIEVEMENT AND COMMUNITY SERVICE.

Which were filed.

Senator Bedford then offered the following Senate Joint Resolution, to-wit:

S. J. R. 21. DESIGNATING A CERTAIN ROAD LOCATED OFF ALABAMA HIGHWAY 18 IN FAYETTE COUNTY AS THE "PIERCIE KIMBRELL ROAD."

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the road located off of Alabama Highway 18 approximately three miles outside the corporate limits of the Town of Berry in Fayette County, is hereby designated as the "Piercie Kimbrell Road."

BE IT FURTHER RESOLVED, That a copy of this resolution be delivered to the State Highway Department.

On motion of Senator Bedford, the Rules were suspended and the Resolution was adopted by the Senate.

BILLS ON THIRD READING

THE BILL:

S. 47. Relating to Winston County; levying a special county privilege and license tax paralleling the state sales tax levied on certain automotive vehicles provided for by section 40-23-101, Code of Alabama 1975, and a special county excise tax paralleling the state use taxes levied on the storage or use of certain automotive vehicles provided for by section 40-23-102, Code of Alabama 1975; specifying the rates at which such taxes shall be levied; providing for the ascertainment, collection, payment, distribution and use of the said taxes; providing for enforcement of this act; and providing for a referendum.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Corbett	Hale	Menton	
Amari	deGraffenried	Hand	Parsons	
Bedford	Denton	Hilliard	Previtt	
Bennett	Dial	Holmes	Rice	
Bishop	Dixon	Horn	Sanders	
Cabaniss	Foshee	Manley	Smith (J)	
Campbell	Goodwin			—25

Nays: —0

THE BILL:

S. 48. Relating to Winston County; authorizing and providing for the incorporation of the Winston County Water Coordinating and Fire Prevention Authority, as a public corporation for the purpose of furnishing water service and fire protection facilities; providing that the service area specified in the original certificate of incorporation of such authority shall lie within the boundaries of the county in which it is incorporated, but that the said service area may be extended into one or more other counties by amendment to the certificate of incorporation; providing for and authorizing the certificate of incorporation and by-laws of such authority to be amended at any time and from time to time; providing for the appointment, election and compensation of directors of such authority; providing for the powers, authorities and duties of such authority and its board of directors; providing for the development of a master plan for said authority; authorizing such authority to acquire, construct, operate and improve one or more waterworks plants, water distribution systems or fire protection facilities, or any combination of any thereof; providing for cooperation with existing water systems and any county and city governments and any council of local government; conferring on such authority the power of eminent domain; making provisions respecting the establishment, revision and collection of charges for water service and fire protection facilities or service, or either, rendered by it; authorizing and providing for the assumption by such authority of obligations respecting systems and facilities, or parts thereof, acquired by the authority; providing that contracts entered into by such authority pursuant to this act shall not constitute or create a debt of the state or of any county, municipality or political subdivision of the state; providing that any county, municipality, other political subdivision, public corporation, or agency or instrumentality of this state may aid and cooperate with, lend or donate money to, perform services for the benefit of, and, without the necessity of an election and with or without consideration, transfer any water system, fire protection facility, or other property to such authority; providing that the rendition by such authority of water service or facilities or of fire protection service or facilities is a governmental function and to exempt such authority from all tort liability in connection with water services or facilities or with fire protection services or facilities; exempting from all taxation in this state such authority, its property, corporate activities, income, revenues, and securities, the income from its securities, conveyances, leases, and mortgages and deeds of trust to which such authority is a party, and exempting such authority from payment of certain charges to judges of probate; exempting the authority and the contracts made by it from all competitive bid laws;

providing that such authority shall be exempted from regulation and supervision by the public service commission and the state department of finance; providing for the use of public roads in the state by such authority; providing for the dissolution of such authority and the disposition of its property; providing that any public corporation may convey its assets, with or without pecuniary consideration, to such authority; providing for auditing; and providing that funds of said authority may be used to aid in applying for available grants.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Corbett	Hale	Menton
Amari	deGraffenried	Hand	Parsons
Bedford	Denton	Hilliard	Preuitt
Bennett	Dial	Holmes	Rice
Bishop	Dixon	Horn	Sanders
Cabaniss	Foshee	Manley	Smith (J)
Campbell	Goodwin		

—25

Nays:

—0

THE BILL:

S. 49. Relating to Marion County; authorizing and providing for the incorporation of the Marion County Water Coordinating and Fire Prevention Authority, as a public corporation for the purpose of furnishing water service and fire protection facilities; providing that the service area specified in the original certificate of incorporation of such authority shall lie within the boundaries of the county in which it is incorporated, but that the said service area may be extended into one or more other counties by amendment to the certificate of incorporation; providing for and authorizing the certificate of incorporation and by-laws of such authority to be amended at any time and from time to time; providing for the appointment, election and compensation of directors of such authority; providing for the powers, authorities and duties of such authority and its board of directors; providing for the development of a master plan for said authority; authorizing such authority to acquire, construct, operate and improve one or more water-works plants, water distribution systems or fire protection facilities, or any combination of any thereof; providing for cooperation with existing water systems and any county and city governments and any council of local government; conferring on such authority the power of eminent domain; making provisions respecting the establishment, revision and collection of charges for water service and fire protection facilities or service, or either, rendered by it; authorizing and providing for the assumption by such authority of obligations respecting systems and facilities, or parts thereof, acquired by the authority; providing that contracts entered into by such authority pursuant to this act shall not constitute or create a debt of the state or of any county, municipality or political subdivision of the state; providing that any county, municipality, other political subdivision, public corporation, or agency or instrumentality of this state may aid and cooperate with, lend or donate money to, perform services for the benefit of, and, without the necessity of an election and with or without consideration, transfer any water system, fire protection facility, or other property to such authority; providing that the rendition by

such authority of water service or facilities or of fire protection service or facilities is a governmental function and to exempt such authority from all tort liability in connection with water services or facilities or with fire protection services or facilities; exempting from all taxation in this state such authority, its property, corporate activities, income, revenues, and securities, the income from its securities, conveyances, leases, and mortgages and deeds of trust to which such authority is a party, and exempting such authority from payment of certain charges to judges of probate; exempting the authority and the contracts made by it from all competitive bid laws; providing that such authority shall be exempted from regulation and supervision by the public service commission and the state department of finance; providing for the use of public roads in the state by such authority; providing for the dissolution of such authority and the disposition of its property; providing that any public corporation may convey its assets, with or without pecuniary consideration, to such authority; providing for auditing; and providing that funds of said authority may be used to aid in applying for available grants.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Corbett	Hale	Menton
Amari	deGraffenried	Hand	Parsons
Bedford	Denton	Hilliard	Preuitt
Bennett	Dial	Holmes	Rice
Bishop	Dixon	Horn	Sanders
Cabaniss	Foshee	Manley	Smith (J)
Campbell	Goodwin		

—25

Nays:

—0

REPORTS OF COMMITTEES

Senator Preuitt, Chairperson of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Haynes:

H. 5. This bill provides for an exception to the confidentiality provision of Chapter 11a of Title 22, Code of Alabama 1975, when a potential risk exists in the spread of a contagious disease by authorizing the State Committee of Public Health to establish guidelines for notification of pre-hospital transport agencies, funeral directors, school superintendents and others when indicated. The bill further sets penalties for violation.

By Senator Covington:

S. 52. Proposing an amendment to the Constitution of 1901, as amended, relating to the legislative process for considering the major appropriations bills for the operations of education, the operations of the executive, legislative and judicial branches of state government, the state public debt, and the other business of state government and setting a time frame therefor; and repealing Amendment No. 448 to the Constitution of 1901, as amended, Act

No. 81-889, S. 32, First Special Session 1981 (Acts 1981, First, Second and Third Special Sessions, p. 25) relating to the legislative process for certain appropriations.

The above Bill was read a second time at length as required by the Constitution.

Senator Manley, Chairperson of the Standing Committee on Governmental Affairs, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Rep. Venable:

H. 39. To amend further section 17-4-156, Code of Alabama 1975, as amended, relating to meeting days of the boards of registrars, so as to provide further for such meeting days and to provide an effective date.

Senator Dial, Chairperson of the Standing Committee on Commerce, Transportation, and Utilities, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senators Covington and Bailey:

S. 53. To amend Sections 32-9-20 and 32-9-25 of the Code of Alabama 1975 relating to motor vehicle sizes and lengths so as to further regulate the sizes and lengths of motor vehicles on highways in Alabama, and to further regulate exceptions and exemptions.

By Rep. Mathis:

H. 44. To amend Sections 32-9-20 and 32-9-25 of the Code of Alabama 1975 relating to motor vehicle sizes and lengths so as to further regulate the sizes and lengths of motor vehicles on highways in Alabama, and to further regulate exceptions and exemptions.

By Rep. Knight:

H. 7. Relating to motor vehicle licenses, registration and parking; to amend Sections 32-6-230, 32-6-231, 32-6-232, 32-6-233, 32-6-233.1 and 32-6-234 of the Code of Alabama 1975, so as to provide that certain temporarily handicapped individuals shall be granted temporary identification placards for use in special parking places reserved for handicapped persons; to authorize reciprocal agreements with other states regarding such parking places and to provide penalties for misuse and abuse of such parking places.

Senator deGraffenried, Chairperson of the Standing Committee on State Development and Tourism, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Foshee:

S. 8. Proposing an amendment to Section 65 of the Constitution of 1901, which prohibits any lottery, so as to legalize only a lottery or lotteries or any scheme in the nature of a lottery or lotteries operated by the state and in certain counties authorized by a general statute; authorizing the legislature, at its discretion, to establish a pilot program for the legalized

operation of a lottery or lotteries; authorizing the legislature to regulate such operations; and allowing legislation relating to lotteries to originate in either house of the legislature.

The above Bill was read a second time at length as required by the Constitution.

By Rep. Turner:

H. 8. To levy a privilege tax, on the pari-mutuel pool at any dog race track in the State of Alabama; to provide for the total take out by a licensee on pari-mutuel pools; to provide for the assessment and collection of such tax; to confer powers and impose duties on the Department of Revenue; to prescribe penalties for non-compliance; to provide for the distribution of the proceeds of such tax; and to provide for the requirements and procedures for the withholding of income tax due the State of Alabama on certain winnings from gambling and wagering and the requirements and procedures for the remittance of such withholding to the Department of Revenue.

Senator Horn, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Rep. Harper (With Amendment):

H. 45. To delete or restrict certain deductions from gross income for Alabama Income Tax purposes.

Senator Horn, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Slaughter:

H. 42. To amend Section 39-1-1, Code of Alabama 1975, requiring bonds for persons, firms or corporations contracting with the state or political subdivisions thereof for repair or construction of public buildings, works, highways or bridges, by adding at the end of subsection (a) of the existing section a provision adding public corporations and authorities as political subdivisions covered by the section, but providing for the exemption, from the requirements of the section, of any real or personal property leased to a private entity and owned by a private entity for Alabama or federal income tax purposes.

By Reps. White (G) and Slaughter:

H. 40. To amend Section 40-12-223, Code of Alabama 1975, for the purpose of exempting from the leasing tax imposed by Sections 40-12-220 through 40-12-227, Code of Alabama 1975, the gross proceeds derived from the leasing of tangible personal property pursuant to a sale-lease back financing that meets certain conditions, including the initial acquisition of such property by the lessee or by an entity controlled by, or under common control with, the lessee, the subsequent sale of such property to the lessor, and the leasing back of such property from the lessor by the lessee pursuant to a lease which, among other things, has a term of not less than fifteen years and does not constitute a sale for either Alabama or federal income tax purposes or both.

By Rep. Turnham:

H. 32. Providing for elected superintendents of education to participate in the teachers' retirement system upon ratification of an amendment to the Constitution of Alabama 1901 allowing such elected superintendents to participate in such retirement system.

By Reps. Carothers and Faulk:

H. 38. Relating to the eradication and control of swine diseases; to make a conditional appropriation to the Department of Agriculture and Industries for the fiscal year ending September 30, 1989, to indemnify owners of swine for the value of any swine ordered condemned and destroyed for the prevention and eradication of the disease of hog cholera, African swine fever and other swine diseases.

By Rep. Harper:

H. 31. To make an appropriation of \$50,000 from the State General Fund to W.C. Handy Property Board for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

By Rep. Harper:

H. 30. To make an appropriation of \$30,000 from the State General Fund to Helen Keller Property Board for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

By Rep. Harper:

H. 29. To make an appropriation of \$5,000 from the State General Fund to Lee County Historical Society and Museum for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

By Rep. Harper:

H. 28. To make an appropriation of \$50,000 from the State General Fund to the Mountain Lakes Tourist Association for the fiscal year ending September 30, 1989.

By Rep. Harper:

H. 27. To make an appropriation of \$30,000 from the State General Fund to the Pea River Historical Society for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

By Rep. Harper:

H. 26. To make an appropriation of \$50,000 from the State General Fund to the Southern Museum of Flight for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

By Rep. Harper:

H. 25. To make an appropriation of \$75,000 from the State General Fund to Alabama Travel Council for the fiscal year ending September 30,

SECOND EXTRAORDINARY SESSION
4th Day

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1989, and to require an operations plan and audited financial statement prior to release of any funds.

By Rep. Harper:

H. 24. To make an appropriation from the State General Fund to the Wallace Industrial Air Park for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

By Rep. Harper:

H. 23. To make an appropriation from the State General Fund in the amount of \$50,000 to the Alabama Mining Museum in Dora, Alabama for the fiscal year ending September 30, 1989 and to require an operations plan and audited financial statement prior to release of any funds.

By Rep. Harper:

H. 22. To make an appropriation of \$20,000 from the State General Fund to Fort Payne Depot for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

By Rep. Harper:

H. 21. To make an appropriation of \$200,000 from the State General Fund to Fort Gaines for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

By Rep. Harper:

H. 20. To make an appropriation of \$50,000 from the State General Fund to Desoto Commission for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

By Rep. Harper:

H. 19. To make an appropriation for the support and maintenance of the Cleveland Avenue YMCA for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

By Rep. Harper:

H. 18. To make an appropriation of \$20,000 from the State General Fund to Briarfield Ironworks for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

By Rep. Harper:

H. 17. To make an appropriation of \$100,000 from the State General Fund to America's Junior Miss Pageant, Inc. for the fiscal year ending September 30, 1989.

By Rep. Harper:

H. 16. To make an appropriation from the State General Fund to the Mallard Fox Creek Port and Industrial Park for the fiscal year ending

September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

By Rep. Harper:

H. 15. To amend Section 40-26-20 of the Code of Alabama, 1975 relating to the disposition of proceeds from the transient occupancy tax.

By Rep. Harper:

H. 14. To amend Section 40-12-227 of the Code of Alabama, 1975 relating to the disposition of tax proceeds on the leasing or renting of tangible personal property.

By Rep. Harper:

H. 10. To provide for the creation of a special account to which the Legislature shall appropriate certain funds to prevent proration in the Alabama Special Educational Trust Fund; to prescribe criteria and procedures for withdrawals from such account in years of proration or in emergency situations as may be determined by the Legislature; to make annual appropriations to such account until a certain amount is established and to provide that such amount shall be maintained in separate trust from year to year except during years of proration in the Alabama Special Educational Trust Fund and in emergencies; to prescribe procedures and criteria for reimbursement to such account after withdrawals; to provide for the retention of accrued interest; to provide for an effective date; and to repeal conflicting provisions.

Senator Horn, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendments, and it was read a second time and placed on the calendar, to-wit:

By Rep. Harper (With Amendments):

H. 9. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, for other functions of government, for interest on the public debt, and for capital outlay for the fiscal year ending September 30, 1989.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

H. J. R. 20. DESIGNATING THE ACT NO. 88-856, S. 196, 1988 FIRST SPECIAL SESSION, AS THE "BUTLER-DIXON CONTRACT REVIEW ACT."

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That Act No. 88-856, S. 196, 1988 First Special Session, is hereby designated the "Butler-Dixon Contract Review Act."

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

Senator Dial offered the following substitute for the Resolution, H. J. R. 20, set out in the foregoing Message from the House, to-wit:

SUBSTITUTE FOR H. J. R. 20

H. J. R. 20. DESIGNATING THE ACT NO. 88-856, S. 196, 1988 FIRST SPECIAL SESSION, AS THE "DIXON-BUTLER CONTRACT REVIEW ACT."

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That Act No. 88-856, S. 196, 1988 First Special Session, is hereby designated the "Dixon-Butler Contract Review Act."

Which was adopted.

And said Resolution, H. J. R. 20, as thus amended by the substitute, was concurred in and adopted by the Senate.

RESOLUTIONS

Senators Sanders, Figures, and Bedford offered the following Senate Resolution, to-wit:

S. R. 22. URGING CONGRESS TO ENACT S. B. 2576 RELATING TO SANCTIONS AGAINST SOUTH AFRICA.

Which was read and referred to the Standing Committee on Rules:

Senator Smith (J) offered the following Senate Resolution, to-wit:

S. R. 23. COMMENDING EDWARD E. COBB FOR EXTRAORDINARY SERVICE TO HUNTSVILLE UTILITIES AND THE COMMUNITY.

Which was filed.

Senator Menton offered the following Senate Resolution, to-wit:

S. R. 24. POSTHUMOUSLY HONORING BRAD CURTIS DOUGLAS OF THEODORE, ALABAMA.

Which was filed.

Senator Dial offered the following Senate Joint Resolution, to-wit:

S. J. R. 25. NAMING THE BARRON-BRITNELL ACT.

WHEREAS, some eighteen percent of the citizens of our state are without access to a fresh water system, a deplorable situation that continues to worsen due to increased pollution and the severe droughts of recent years; and

WHEREAS, the legislature, in recognizing the great need to provide such essentials as fresh water systems for all citizens throughout Alabama, addressed the problem through companion bills, H. B. 149 by Representative Charles Britnell and S. B. 24 by Senator Lowell Barron, to create and provide for the incorporation, organization and operation of the Alabama water system authority; and

WHEREAS, S. B. 24, which became Act No. 88-857 of the 1988 First Special Session, further provides for state assistance to and cooperation with community water systems in financing projects that would focus on locating, developing and sustaining adequate fresh water supplies for our citizens; and

WHEREAS, the establishment of the Alabama water system authority is to the great credit of Senator Lowell Barron and Representative Charles W. Britnell, the primary proponents and supporters of this legislation; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That Act No. 88-857 of the 1988 First Special Session is hereby named and shall forever be known as the Barron-Britnell Act.

Which was read and referred to the Standing Committee on Rules.

Senators Amari, Parsons, Cabaniss, Horn, and Bedford offered the following Senate Joint Resolution, to-wit:

S. J. R. 26. NAMING THE BRIDGE OVER THE LOCUST FORK OF THE BLACK WARRIOR RIVER IN JEFFERSON COUNTY, THE "RAY MOORE BRIDGE."

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That in recognition of Mr. Ray Moore's conscientious and dedicated service on the county commission to secure its funding, the concrete bridge located on the Warrior-Kimberly Road across the Locust Fork of the Black Warrior River in Section 24, Township 14 South, Range 3 West, in Jefferson County is hereby named and shall henceforth and forever be known as the "Ray Moore Bridge."

BE IT FURTHER RESOLVED, That the Jefferson County Commission is authorized to purchase and display signs so recognizing said bridge as the "Ray Moore Bridge."

RESOLVED FURTHER, That Mr. Moore receive a copy of this resolution as a memento of this honorary designation, executed by the Legislature in highest regard of his many contributions to Jefferson County and all citizens thereof.

Which was read and referred to the Standing Committee on Rules.

Senators Foshee, Amari, Bailey, Barron, Bedford, Bedsole, Bennett, Bishop, Cabaniss, Campbell, Corbett, Covington, deGraffenried, Denton, Dial, Dixon, Drinkard, Ellis, Figures, Goodwin, Hale, Hand, Hilliard, Holmes, Horn, Langford, Manley, Mitchem, Parsons, Preuit, Rice, Sanders, Smith (B), and Smith (J) offered the following Senate Resolution, to-wit:

S. R. 27. COMMENDING SENATOR BILL MENTON FOR HIS DISTINGUISHED SERVICE IN THE ALABAMA STATE SENATE.

WHEREAS, Senator Bill Menton, who has served with distinction for the last six years in the Alabama Senate, is completing his final days as a state senator before assuming his new duties as County Commissioner of Mobile County; and

WHEREAS, it has been rumored that Senator Menton's election to that post was not secured until he convinced his campaign manager to marry his only opponent; and

WHEREAS, the following a distinguished collegiate athletic career at Spring Hill College, Senator Menton went on to a professional baseball career rivaled only by that of Bob Uecker; and

WHEREAS, Senator Menton, long a stalwart on the Billy Barty basketball team, was cut by Coach John Thompson at the U.S. Olympic trials, and his absence on that team was made apparent this week when the United States could have used his rebounding in their defeat by the Ruskies; and

WHEREAS, long an avid golfer, Senator Menton is rumored to be suing Tim Conway for infringement rights to his "Dorf on Golf" instructional video; and

WHEREAS, he is also an accomplished horseman, preferring quarter horses to full horses due to the fact that they are only a quarter as tall; and

WHEREAS, the Alabama Senate has been blessed with Senator Bill Menton's presence, humor and sense of fairness for the past six years; and

WHEREAS, full credit should be given to his lovely wife of 44 years, Carmen, and their ten children for allowing their beloved husband and father to serve his state; and

WHEREAS, another chapter in a very distinguished career comes to an end; now therefore,

BE IT RESOLVED BY THE SENATE OF ALABAMA, That in recognition of his outstanding service to this august body, we most highly commend Senator William J. Menton and wish him well in his new endeavor.

On motion of Senator deGraffenried, the Resolution was adopted by the Senate.

RECESS

At 1:20 P.M., on motion of Senator deGraffenried, the Senate took a recess until 5 o'clock this afternoon.

At 5 o'clock P.M., the recess period having expired, the Senate was called to order by Lieutenant Governor Folsom. A quorum of the Senate was present.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 2. EXPRESSING LEGISLATIVE INTENT RELATING TO ACT NO. 88-397, H. 721, REGULAR SESSION 1988, RELATING TO MARION COUNTY.

Also:

S. J. R. 3. EXPRESSING LEGISLATIVE INTENT RELATING TO ACT NO. 88-560, S. 665, REGULAR SESSION 1988, RELATING TO FRANKLIN COUNTY.

Also:

S. J. R. 4. MOURNING THE DEATH OF A. B. CLARK OF DOTHAN, ALABAMA.

JOHN W. PEMBERTON,
Clerk.

ADJOURNMENT

At 5:05 P.M., on motion of Senator Cabaniss, pending further consideration of the confirmation of Mr. Shipman's appointment to the Surface Mining Commission, the Senate adjourned until Friday, September 30, 1988, at 9 o'clock A.M.

FIFTH LEGISLATIVE DAY
FRIDAY, SEPTEMBER 30, 1988

The Senate met pursuant to adjournment, Lieutenant Governor Folsom presiding.

PRAYER

The Session was opened with prayer by Senator Jim Bennett, 19th Senatorial District.

PLEDGE OF ALLEGIANCE

The Senators were led in the Pledge of Allegiance to the Flag of the United States of America by Bill Livingston, Senate Staff, Montgomery, Alabama.

ROLL CALL

Present:

Senators:	Corbett	Foshee	Manley
Amari	Covington	Goodwin	Menton
Bailey	deGraffenried	Hale	Parsons
Bedford	Denton	Hand	Preuitt
Bedsole	Dial	Hilliard	Rice
Bennett	Dixon	Holmes	Sanders
Bishop	Drinkard	Horn	Smith (B)
Cabaniss	Ellis	Langford	Smith (J)
Campbell	Figures		

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JOURNAL

On motion of Senator deGraffenried, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

LEAVE OF ABSENCE

On motion of Senator deGraffenried, leave of absence was granted Senators Barron and Mitchem for today.

RESOLUTIONS

Senators Bedford, deGraffenried, Hand, and Dial offered the following Senate Joint Resolution, to-wit:

S. J. R. 28. CREATING THE INTERIM LEGISLATIVE OVERSIGHT COMMITTEE TO COORDINATE THE WAR ON DRUGS IN ALABAMA.

WHEREAS, the drug problem in this state has become critical; and

WHEREAS, millions of dollars are being siphoned from the economy through illegal drug sales, thereby stifling economic growth in this state; and

WHEREAS, children of tender years are being victimized by unconscionable acts of drug dealers; and

WHEREAS, drug related crimes and suicides have reached an appalling rate; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created an Interim Legislative Oversight Committee to coordinate the war on drugs in Alabama by coordinating the activities of law enforcement, the enforcement division of the Attorney General's office and the legislative and executive departments of the state.

BE IT FURTHER RESOLVED, That the committee shall be composed of the following members: Three members of each house of the Legislature, appointed by the presiding officers of each house; the director of the Department of Public Safety; the president of the Alabama District Attorney's Association; the president of the State Lodge of the Fraternal Order of Police; the president of the Alabama Sheriff's Association; and one representative of the Attorney General's office appointed by the Attorney General. The said interim committee shall meet during the interim periods between regular sessions of the Legislature, during which periods the legislative members shall each be entitled to and shall receive, the same daily legislative compensation, expense allowances, per diem and other compensation to which they are entitled for each day during which the committee shall meet. No member shall be paid for any meeting that they did not personally attend. The usual compensation of committee employees shall be paid as provided by law. It shall be the duty of the committee to make a careful investigation and study of the illegal drug situation in Alabama, hold hearings, inquire into ways and means of adequately financing drug enforcement programs, develop legislative programs to aid law enforcement in the war on drugs, and report its findings and recommendations no later than the seventh legislative day of each regular legislative session. A chairman, vice-chairman and secretary shall be elected at the first meeting of the committee. The first chairman shall be from the Senate and serve for two years at which time the chairmanship shall rotate to the House of Representatives. The committee may employ such clerical and expert assistance as the committee may find necessary in performing its duties.

All departments, boards, bureaus, commissions, agencies, offices and institutions of the state shall and are hereby directed to cooperate with the committee and its staff and shall furnish any and all information that may be requested by the committee.

BE IT FURTHER RESOLVED, That there is hereby allocated for the use of the committee up to \$20,000.00 out of funds appropriated to the Legislature for such purposes.

BE IT RESOLVED FURTHER, That the final report of the committee, along with findings and recommendations shall be submitted to the Governor and the Legislature no later than the seventh legislative day of the 1990 Regular Session, at which time said committee shall terminate.

On motion of Senator Bedford, the Rules were suspended and the Resolution was adopted by the Senate.

Senators Dial and Bedford offered the following Senate Joint Resolution, to-wit:

S. J. R. 29. NAMING THE BARRON-BRITNELL ACT.

WHEREAS, some eighteen percent of the citizens of our state are without access to a fresh water system, a deplorable situation that continues to worsen due to increased pollution and the severe droughts of recent years; and

WHEREAS, the legislature, in recognizing the great need to provide such essentials as fresh water systems for all citizens throughout Alabama, addressed the problem through companion bills, H. B. 149 by Representative Charles Britnell and S. B. 24 by Senator Lowell Barron, to create and provide for the incorporation, organization and operation of the Alabama water system authority; and

WHEREAS, S. B. 24, which became Act No. 88-857 of the 1988 First Special Session, further provides for state assistance to and cooperation with community water systems in financing projects that would focus on locating, developing and sustaining adequate fresh water supplies for our citizens; and

WHEREAS, the establishment of the Alabama water system authority is to the great credit of Senator Lowell Barron and Representative Charles W. Britnell, the primary proponents and supporters of this legislation; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That Act No. 88-857 of the 1988 First Special Session is hereby named and shall forever be known as the Barron-Britnell Act.

Which was read and referred to the Standing Committee on Rules.

Senators Hilliard, Bedford, Langford, and Horn offered the following Senate Joint Resolution, to-wit:

S. J. R. 30. COMMENDING ARTHUR D. SHORES OF BIRMINGHAM, PROMINENT ALABAMA ATTORNEY AND CIVIL RIGHTS LEADER.

WHEREAS, the Legislature of Alabama, in consensus of commendation and esteem, notes the selection of Arthur D. Shores of Birmingham, Alabama, as the recipient of the Living Legacy Award to be presented at the National Caucus and Center on Black Aged, October 12, 1988; and

WHEREAS, a native of Jefferson County, Mr. Shores was educated in the Birmingham Public Schools, Talladega College and the University of Kansas; he received his L.L.B. in 1934, was admitted to the Alabama Bar in 1937 and to practice before the United States Supreme Court in 1943; and

WHEREAS, Mr. Shores, now in practice for 50 years and vice president and general counsel for Citizens Federal Savings Bank, has practiced law throughout the entire state and has been widely and affectionately termed as "the dean of black lawyers in the State of Alabama"; and

WHEREAS, his professional, general, religious and political affiliations are legion, as are his many accolades which include Who's Who in American Politics, Who's Who in Commerce and Industry, Who's Who in the South and Southwest, Who's Who in Negro America, International Yearbook, Statesman's Who's Who, Library of Alabama Lives and the Alabama Academy of Honor; and

WHEREAS, although outstandingly prominent in the legal community and in civic leadership, Mr. Shores is distinctly eminent as a leading proponent of civic, political and human rights, serving as the sole black trial lawyer in Alabama from 1940 to 1950 and was counsel for a number of landmark desegregation cases including Dr. Martin Luther King, Jr., and others, in the Montgomery bus boycott prosecutions; the State of Alabama

against the N.A.A.C.P.; E. L. Shuttlesworth, and others, against the City of Birmingham and the Birmingham Transit Company; Vivian J. Malone against the University of Alabama; the Equalization of Negro teachers' salaries in Jefferson County, Alabama, and Columbia, S. C.; and United States Steel against L & N Railroad; and

WHEREAS, Arthur D. Shores is indeed a man to be honored by all men and we are privileged to join in tribute to Mr. Shores as one of the Living Legacies of the Civil Rights Movement; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That in recognition of outstanding achievement, extraordinary contributions to community, state and nation, and in gratitude for his lifetime labors on behalf of his fellowman, we hereby most highly commend Arthur D. Shores of Birmingham, Alabama, and do further direct that he receive a copy of this resolution of highest esteem.

On motion of Senator Hilliard, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Mikell:

H. J. R. 27. EXPRESSING LEGISLATIVE INTENT REGARDING ACT NO. 88-620, H. 1032, 1988 REGULAR SESSION, WHICH PROVIDES FOR THE CREATION OF FIRE DISTRICTS IN ELMORE COUNTY.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That it is hereby declared that the legislative intent of Act No. 88-620, H. 1032, 1988 Regular Session, is that the service charge imposed in Section 14 of the Act shall be on assessed property value.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Langford, the Rules were suspended and the Resolution, H. J. R. 27, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Holley:

H. J. R. 25. CREATING A STATE ENVIRONMENTAL LAW ENFORCEMENT COMMITTEE.

WHEREAS, Alabama is a member of The National Environmental Enforcement Council; said National Council being responsible for coordinating environmental law enforcement across the nation; and

WHEREAS, Alabama has been instrumental in creating a Regional Environmental Enforcement Network known as the Southern Environmental Enforcement Network; and

WHEREAS, there is a need to establish a State-wide Environmental Enforcement organization to interface with the Regional and National organizations.

BE IT FURTHER RESOLVED BY THE LEGISLATURE OF ALABAMA BOTH HOUSES THEREOF CONCURRING, That a State Environmental Law Enforcement Committee consisting of one representative from the Alabama Bureau of Investigations, and one enforcement attorney from the Department of Conservation and Natural Resources, one enforcement attorney from the Alabama Department of Environmental Management, one enforcement attorney from the State Health Department, one enforcement attorney from the Alabama Surface Mining Commission, one enforcement attorney from the Attorney General's office, one attorney from the Oil and Gas Board, and one representative from the District Attorneys Association is hereby created; and

BE IT FURTHER RESOLVED that the State Environmental Enforcement Committee meet at least quarterly in the offices of the Attorney General, who shall chair the committee, to insure coordination with regional and national environmental enforcement organizations and that no appropriations be made to said Environmental Enforcement Committee.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 25, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Bryant:

H. J. R. 19. CONGRATULATING THE FRANCIS MARION HIGH SCHOOL RAMS AS ALABAMA'S STATE 2A BASKETBALL CHAMPIONS.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Corbett, the Rules were suspended and the Resolution, H. J. R. 19, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Johnson (RW):

H. J. R. 11. COMMENDING MORRIS SOKOL OF TUSCALOOSA, ALABAMA, AND DESIGNATING HIM AS DIRECTOR EMERITUS OF THE TUSCALOOSA COUNTY PARK AND RECREATION AUTHORITY BOARD.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Corbett, the Rules were suspended and the Resolution, H. J. R. 11, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Reps. Moon and Junkins:

H. J. R. 12. MOURNING THE DEATH OF ROY DAVID JOHNSON OF ARAB, ALABAMA.

Also:

By Reps. Buskey (JL), McKee, Hooper, Holmes, Mikell, and Walker:

H. J. R. 13. COMMENDING THE CENTRAL ALABAMA OPPORTUNITIES INDUSTRIALIZATION CENTER, INC., ON ITS TWENTIETH ANNIVERSARY.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Corbett, the Rules were suspended and the Resolutions, H. J. R.'s 12 and 13, set out in the foregoing Message from the House, were concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Rep. Black:

H. J. R. 5. MOURNING THE DEATH OF MR. JESSIE DIXON OF CHOCTAW CITY, ALABAMA.

Also:

By Reps. Kvalheim, Gaston, and Zoghby:

H. J. R. 7. COMMENDING ROSEMARY FOX, 1988 REALTOR OF THE YEAR.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Corbett, the Rules were suspended and the Resolutions, H. J. R.'s 5 and 7, set out in the foregoing Message from the House, were concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Rains:

H. J. R. 4. CREATING A JOINT INTERIM COMMITTEE TO STUDY THE FEASIBILITY OF ESTABLISHING A HEALTH AND MEDICAL CARE FUND.

WHEREAS, for many years certain revenues have been allocated to the Alabama Special Educational Trust Fund to be used for education purposes; and

WHEREAS, by authority of a 1923 Act, revenues have been set aside in a special fund known as the State Highway Fund to be used for the expense of the Highway Department and construction and maintenance of highways, roads and bridges; and

WHEREAS, at the present time, funds for health and medical care are appropriated to the general fund to be distributed to the several state agencies and departments responsible for various health and medical programs; and

WHEREAS, the demand for more state funds for health and medical programs has increased and will continue to increase; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That legislators study the feasibility of establishing a separate Health and Medical Care Fund in the state treasury to be appropriated to the state agencies and departments for health and medical care.

BE IT FURTHER RESOLVED, That there is hereby established a joint committee to study the feasibility of establishing a health and medical care fund in the state treasury to be composed of five members of the House of Representatives, to be appointed by the Speaker of the House and five members of the Senate, to be appointed by the Lieutenant Governor. It shall be the duty and function of the committee to completely analyze the functions and funding of the state agencies and departments responsible for the various facets of health and medical care to determine if the needs of the citizens of Alabama would be better met by funds being allocated to a separate fund in the state treasury to be used solely for health and medical care.

The committee shall elect a chairman from its members.

Upon the request of the chairman, the Secretary of the Senate and the Clerk of the House shall provide such clerical assistance as may be necessary for the committee's work. The committee shall report its findings, conclusions and recommendations to the Legislature not later than the fifth legislative day of the 1989 Regular Session, at which time it shall be dissolved.

Each member of the committee shall be entitled to his regular legislative compensation, his per diem and travel expenses for each day he attends a meeting of the committee which shall be paid out of any funds appropriated to the use of the Legislature upon warrants drawn on the state comptroller upon requisitions signed by the committee's chairman; provided, however, that members shall not receive additional legislative compensation or per diem when the Legislature is in session or if a member is being paid any other payments on the same dates for attendance of other state business. The total expenditures of the committee shall not exceed \$5,000.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 4, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Johnson (RG):

H. J. R. 3. STATING THE LEGISLATIVE INTENT FOR H. B. 209, ACT NO. 88-731, FIRST SPECIAL SESSION, 1988.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That it is the intent of the Legislature pertaining to House Bill 209, Act No. 88-731, First Special Session 1988, that only a single \$50.00 reinstatement charge can be made for a cancellation, suspension or revocation action.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 3, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

RESOLUTION

Senator Smith (J) offered the following Senate Resolution, to-wit:

S. R. 31. COMMENDING DR. ROBERT H. WILLIAMS OF HUNTSVILLE, ALABAMA.

Which was filed.

UNFINISHED BUSINESS

The Senate proceeded to consideration of the Unfinished Business for today, which was the confirmation of Mr. Edward Shipman's appointment to the Surface Mining Commission.

On motion of Senator Bedford, further consideration of said confirmation was postponed until the Eighth Legislative Day.

REPORT FROM RULES

Senator Drinkard, Chairperson of the Standing Committee on Rules, reported that said committee, in session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 22. COMMENDING THE OFFICIALS AND EMPLOYEES OF THE ROGERSVILLE WATER DEPARTMENT FOR OUTSTANDING ACHIEVEMENT.

And on motion of Senator Drinkard, said Resolution, H. J. R. 22, was concurred in and adopted by the Senate.

RESOLUTION

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

S. R. 32. SPECIAL ORDER CALENDAR.

RESOLVED BY THE SENATE That the following bill in the order named shall be the paramount and continuing order of business taking precedence over all other matters upon reaching bills on third reading for the fifth legislative day of the 1988 Second Special Session only:

Inst Id	Page
H. 8	12
Racing, pari mutuel racing, taxation and operation, Sec. 40-11-5 am'd.	

On motion of Senator Drinkard, the Resolution was adopted by the Senate.

SPECIAL ORDER

BILLS ON THIRD READING

The Senate proceeded to consideration of the special, paramount, and continuing order of business for today, which was the Bill:

H. 8. To levy a privilege tax, on the pari-mutuel pool at any dog race track in the State of Alabama; to provide for the total take out by a licensee on pari-mutuel pools; to provide for the assessment and collection of such tax; to confer powers and impose duties on the Department of Revenue; to prescribe penalties for non-compliance; to provide for the distribution of the proceeds of such tax; and to provide for the requirements and procedures for the withholding of income tax due the State of Alabama on certain winnings from gambling and wagering and the requirements and procedures for the remittance of such withholding to the Department of Revenue.

RECESS

At 10:02 A.M., Senator Bishop moved that the Senate take a recess until 11 o'clock this morning.

Senator Hilliard offered a substitute motion that the Senate take a recess until 12 o'clock Noon, which motion was lost.

The question recurred on the motion of Senator Bishop, which was adopted, and at 10:05 A.M., the Senate took a recess until 11 o'clock A.M.

At 11 o'clock A.M., the recess period having expired, the Senate was called to order by Lieutenant Governor Folsom. A quorum of the Senate was present.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Joint Resolutions with the original Senate Joint Resolutions, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 2. EXPRESSING LEGISLATIVE INTENT RELATING TO ACT NO. 88-397, H. 721, REGULAR SESSION 1988, RELATING TO MARION COUNTY.

Also:

S. J. R. 3. EXPRESSING LEGISLATIVE INTENT RELATING TO ACT NO. 88-560, S. 665, REGULAR SESSION 1988, RELATING TO FRANKLIN COUNTY.

Also:

S. J. R. 4. MOURNING THE DEATH OF A. B. CLARK OF DOTHAN, ALABAMA.

BILL DRINKARD,
Chairperson.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolutions, the titles of which are set out in the foregoing report from the Committee on Rules.

FURTHER CONSIDERATION OF H. B. 8

The Senate proceeded to further consideration of the Bill, H. B. 8.

Senator deGraffenried offered the following amendment to the Bill, H. B. 8, to-wit:

AMENDMENT TO H. B. 8

Amend House Bill No. 8 Page 3 Line 13, by striking out subsection (d) in its entirety.

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Which was adopted.

Yeas 26; Nays 0.

Yeas:

Senators:	Covington	Foshee	Menton	
Bedford	deGraffenried	Goodwin	Preuitt	
Bedsole	Denton	Hale	Rice	
Bennett	Dial	Hand	Sanders	
Cabaniss	Drinkard	Holmes	Smith (B)	
Campbell	Ellis	Horn	Smith (J)	
Corbett	Figures	Manley		—26

Nays: —0

And said Bill, H. B. 8, as thus amended, was read a third time at length and passed.

Yeas 28; Nays 3.

Yeas:

Senators:	Campbell	Ellis	Manley	
Amari	Covington	Foshee	Menton	
Bailey	deGraffenried	Goodwin	Parsons	
Bedford	Denton	Hale	Preuitt	
Bedsole	Dial	Holmes	Rice	
Bennett	Dixon	Horn	Smith (B)	
Bishop	Drinkard	Langford	Smith (J)	
Cabaniss				—28

Nays:

Senators:	Corbett	Figures	Sanders	—3
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MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 5. MOURNING THE DEATH OF MR. JESSIE DIXON OF CHOCTAW CITY, ALABAMA.

Also:

H. J. R. 7. COMMENDING ROSEMARY FOX, 1988 REALTOR OF THE YEAR.

Also:

H. J. R. 11. COMMENDING MORRIS SOKOL OF TUSCALOOSA, ALABAMA, AND DESIGNATING HIM AS DIRECTOR EMERITUS OF THE TUSCALOOSA COUNTY PARK AND RECREATION AUTHORITY BOARD.

Also:

H. J. R. 12. MOURNING THE DEATH OF ROY DAVID JOHNSON OF ARAB, ALABAMA.

Also:

H. J. R. 13. COMMENDING THE CENTRAL ALABAMA OPPORTUNITIES INDUSTRIALIZATION CENTER, INC., ON ITS TWENTIETH ANNIVERSARY.

Also:

H. J. R. 19. CONGRATULATING THE FRANCIS MARION HIGH SCHOOL RAMS AS ALABAMA'S STATE 2A BASKETBALL CHAMPIONS.

Also:

H. J. R. 22. COMMENDING THE OFFICIALS AND EMPLOYEES OF THE ROGERSVILLE WATER DEPARTMENT FOR OUTSTANDING ACHIEVEMENT.

Also:

H. J. R. 27. EXPRESSING LEGISLATIVE INTENT REGARDING ACT NO. 88-620, H. 1032, 1988 REGULAR SESSION, WHICH PROVIDES FOR THE CREATION OF FIRE DISTRICTS IN ELMORE COUNTY.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

RESOLUTIONS

Senator deGraffenried offered the following Senate Joint Resolution, to-wit:

S. J. R. 33. EXPRESSING LEGISLATIVE INTENT REGARDING THE NAMING OF PUBLIC STREETS AND HIGHWAYS.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That with respect to those public streets and highways in Alabama which have heretofore been, or which may hereafter be, given an official name by Act of the Legislature in honor of some distinguished person, institution, or the like, it is hereby declared to be the intent of the Legislature of Alabama to confer such name or title for honorary purposes only, and not to supersede or suppress any traditional or customary local street names, nor to mandate the use of such honorific name or title for local address purposes. It is further declared to be the intent of the Legislature of Alabama that the naming of streets and highways for address purposes shall remain vested in the appropriate local officials.

Which was read and referred to the Standing Committee on Rules.

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

S. R. 34. SPECIAL ORDER CALENDAR.

RESOLVED BY THE SENATE That the following bills in the order named shall be the paramount and continuing order of business taking precedence over all other matters upon reaching bills on third reading for the fifth legislative day of the 1988 Second Special Session only:

Inst Id	Page
H. 45	13
Taxation, interest on debt deduction same as federal deduction.	
H. 14	22
Tangible personal prop., leasing or renting of, tax on, disposition of proceeds, Sec. 40-12-227 am'd.	
H. 15	22
Tax, transient occupancy, proceeds further distrib., Sec. 40-26-20 am'd.	

On motion of Senator Drinkard, the Resolution was adopted by the Senate.

Senators Smith (J), Amari, Bailey, Barron, Bedford, Bedsole, Bennett, Bishop, Cabaniss, Campbell, Corbett, Covington, deGraffenried, Denton, Dial, Dixon, Drinkard, Ellis, Figures, Foshee, Goodwin, Hale, Hand, Hilliard, Holmes, Horn, Langford, Manley, Menton, Mitchem, Parsons, Preuit, Rice, Sanders, and Smith (B) offered the following Senate Joint Resolution, to-wit:

S. J. R. 35. COMMENDING THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION AND MARSHALL SPACE FLIGHT CENTER ON THE SUCCESSFUL LAUNCH OF THE DISCOVERY SHUTTLE.

WHEREAS, it is with inordinate pride that the Alabama Legislature commends and congratulates the National Aeronautics and Space Administration and the Marshall Space Flight Center, Huntsville, on the successful launching of the Discovery shuttle on September 29, 1988; and

WHEREAS, America's triumphant return to space followed a period of 32 months spent in the redesign and extensive re-testing of the shuttle's booster rockets which were to perform flawlessly on liftoff as scheduled for September 29, 1988; and

WHEREAS, once settled in orbit and just six hours following liftoff, the Discovery crew accomplished the shuttle's primary mission by successfully releasing a satellite to provide communication between future shuttle missions and NASA; and

WHEREAS, although we share the triumph of this Discovery flight with all agencies involved in our nation's reentry into the manned space program, we are most particularly proud of the Marshall Space Flight Center's essential role in directing the redesign of the shuttle's propulsion system; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby most heartily congratulate and commend NASA and the Marshall Space Flight Center on the safe launching of the Discovery shuttle and on America's triumphant return to space.

BE IT FURTHER RESOLVED, That copies of this resolution be forwarded to NASA headquarters and to the Marshall Space Flight Center in Huntsville.

On motion of Senator Smith (J), the Rules were suspended and the Resolution was adopted by the Senate.

BILLS ON THIRD READING RESUMED

Senator Bailey requested and received permission to suspend the Rules in order to bring up the Bill:

H. 44. To amend Sections 32-9-20 and 32-9-25 of the Code of Alabama 1975 relating to motor vehicle sizes and lengths so as to further regulate the sizes and lengths of motor vehicles on highways in Alabama, and to further regulate exceptions and exemptions.

And said Bill, H. B. 44, was read a third time at length and passed.

Yeas 16; Nays 5.

Yeas:

Senators:	Bishop	Dial	Goodwin
Bailey	Campbell	Dixon	Hale
Bedford	Covington	Drinkard	Parsons
Bedsole	Denton	Foshee	Preuitt
Bennett			

—16

Nays:

Senators:	Cabaniss	Manley	Smith (B)
Amari	Corbett		

—5

SPECIAL ORDER

The Senate proceeded to consideration of the second special, paramount, and continuing order of business for today, the first of which was the Bill:

H. 45. To delete or restrict certain deductions from gross income for Alabama Income Tax purposes.

The Standing Committee on Finance and Taxation reported the following amendment to the Bill, H. B. 45, to-wit:

AMENDMENT TO H. B. 45

Amend House Bill 45 on Page 1, in Section 1, by deleting the sentence starting on Line 32 with the word "Beginning" and ending on Line 35 with the number "163" and inserting in lieu thereof the following:

Beginning with all tax years or periods beginning after December 31, 1987, interest deductions shall be limited to the same amount allowable for federal income tax purposes under the provisions found in 26 USCA 163 as of the effective date of this act.

On motion of Senator Preuitt, said amendment was laid on the table.

Senator Preuitt then offered the following amendment to the Bill, H. B. 45, to-wit:

AMENDMENT TO H. B. 45

Amend House Bill 45, on page 1, in Section 1, by deleting the sentence starting on line 32 with the word "Beginning" and ending on line 35 with the number "163" and inserting in lieu thereof the following:

Beginning with all tax years or periods beginning after December 31, 1987, the interest deductions allowed in each of such tax years or periods shall be limited to the amount allowable as an interest deduction for federal income tax purposes in the corresponding tax year or period pursuant to the provisions of 26 USC 163, as such federal tax statute exists as of the effective date of this act.

Which was adopted.

Yeas 23; Nays 0.

Yeas:

Senators:	Corbett	Ellis	Holmes	
Bedford	Covington	Foshee	Horn	
Bedsole	Denton	Goodwin	Langford	
Bishop	Dial	Hale	Manley	
Cabaniss	Dixon	Hand	Preuitt	
Campbell	Drinkard	Hilliard	Smith (B)	—23

Nays: —0

POINT OF PERSONAL PRIVILEGE

Senator Hand requested the Journal show that had he been present when the Bill, H. B. 8, was passed, he would have voted "Aye."

MOTION TO RECESS LOST

At 1:15 P.M., Senator Goodwin moved that the Senate take a recess subject to the call of the Chair, which motion was lost.

FURTHER CONSIDERATION OF H. B. 45, AS AMENDED

The Senate proceeded to further consideration of the Bill, H. B. 45, as amended.

On motion of Senator Cabaniss, further consideration of the Bill, H. B. 45, as amended, was postponed subject to the call of the Chair.

BILLS ON THIRD READING RESUMED

THE BILL:

H. 14. To amend Section 40-12-227 of the Code of Alabama, 1975 relating to the disposition of tax proceeds on the leasing or renting of tangible personal property.

was taken up.

On motion of Senator Cabaniss, further consideration of the Bill was postponed subject to the call of the Chair.

THE BILL:

H. 15. To amend Section 40-26-20 of the Code of Alabama, 1975 relating to the disposition of proceeds from the transient occupancy tax.

was taken up.

On motion of Senator Cabaniss, further consideration of the Bill was postponed subject to the call of the Chair.

RESOLUTION

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

S. R. 36. SPECIAL ORDER CALENDAR.

RESOLVED BY THE SENATE That the following bills in the order named shall be the paramount and continuing order of business taking precedence over all other matters upon reaching bills on third reading for the fifth legislative day of the 1988 Second Special Session only:

Inst Id	Page
H. 40	13
Leasing Tax, exemption of rentals payable under sale-lease back financing of industrial equipment, Sec. 40-12-223 am'd.	
H. 17	21
Junior Miss Pageant, approp.	
H. 18	21
Brierfield Ironworks, approp.	
H. 19	20
Y.M.C.A. Cleveland Avenue Branch, approp.	
H. 20	20
Desoto Commission, approp.	
H. 21	19
Fort Gaines, approp.	
H. 22	19
Fort Payne Depot, approp.	
H. 23	18
Mining Museum, approp.	
H. 24	18
Wallace Industrial Air Park, approp.	

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H. 25	18
Travel Council, approp.	
H. 26	17
Southern Museum of Flight, approp.	
H. 27	17
Pea River Historical Society, approp.	
H. 28	16
Mountain Lakes Tourist Assoc., approp.	
H. 29	16
Lee Co. Historical Soc., approp.	
H. 30	15
Helen Keller Property Bd., approp.	
H. 31	15
W.C. Handy Property Bd., approp.	
H. 16	21
Mallard Fox Creek Port and Industrial Park, approp.	

On motion of Senator Smith (J), the Resolution was adopted by the Senate.

SPECIAL ORDER

BILLS ON THIRD READING RESUMED

The Senate proceeded to consideration of the third special, paramount, and continuing order of business for today, the first of which was the Bill:

H. 40. To amend Section 40-12-223, Code of Alabama 1975, for the purpose of exempting from the leasing tax imposed by Sections 40-12-220 through 40-12-227, Code of Alabama 1975, the gross proceeds derived from the leasing of tangible personal property pursuant to a sale-lease back financing that meets certain conditions, including the initial acquisition of such property by the lessee or by an entity controlled by, or under common control with, the lessee, the subsequent sale of such property to the lessor, and the leasing back of such property from the lessor by the lessee pursuant to a lease which, among other things, has a term of not less than fifteen years and does not constitute a sale for either Alabama or federal income tax purposes or both.

On motion of Senator Horn, further consideration of the Bill, H. B. 40, was postponed subject to the call of the Chair.

THE BILL:

H. 17. To make an appropriation of \$100,000 from the State General Fund to America's Junior Miss Pageant, Inc. for the fiscal year ending September 30, 1989.

was taken up.

Senator Dixon offered the following amendment to the Bill, H. B. 17, to-wit:

AMENDMENT TO H. B. 17

Amend House Bill No. 17 Page 1 Line 9-16-21, by inserting on line 9 after the word Inc. by inserting & Alabama's Junior Miss Pageant,

Line 16 by inserting, following The Pageant, Inc. "& Alabama's Junior Miss Pageant, Inc."

Line 21 by amending the "amount of one hundred thousand dollars (\$100,000)" to read "amount of eighty five thousand dollars (\$85,000) by creating a new Section 2.

There is hereby appropriated to Alabama's Junior Miss Pageant from the State General Fund the amount of fifteen thousand dollars (\$15,000) for the fiscal year ending September 30, 1989.

Renumber remaining sections accordingly.

Senator Bedsole moved that said amendment be laid on the table, which motion was lost.

Yeas 4; Nays 14.

Abstaining 1.

Yeas:

Senators:	Cabaniss	Denton	Figures	
Bedsole				—4

Nays:

Senators:	Campbell	Dixon	Langford	
Amari	Corbett	Ellis	Smith (B)	
Bedford	Covington	Goodwin	Smith (J)	
Bennett	Dial	Holmes		—14

Abstaining: Senator Parsons —1

On motion of Senator Bedford, further consideration of the Bill, H. B. 17, and pending amendment, was postponed subject to the call of the Chair.

Senator Bishop requested and received permission to suspend the Rules in order to bring up the following Bill:

H. 23. To make an appropriation from the State General Fund in the amount of \$50,000 to the Alabama Mining Museum in Dora, Alabama for the fiscal year ending September 30, 1989 and to require an operations plan and audited financial statement prior to release of any funds.

On motion of Senator Bishop, further consideration of the Bill was postponed subject to the call of the Chair.

THE BILL:

H. 18. To make an appropriation of \$20,000 from the State General Fund to Brierfield Ironworks for the fiscal year ending September 30, 1989,

and to require an operations plan and audited financial statement prior to release of any funds.

was taken up.

On motion of Senator Bedford, further consideration of the Bill was postponed subject to the call of the Chair.

THE BILL:

H. 19. To make an appropriation for the support and maintenance of the Cleveland Avenue YMCA for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

was taken up.

On motion of Senator Bedford, further consideration of the Bill was postponed subject to the call of the Chair.

THE BILL:

H. 20. To make an appropriation of \$50,000 from the State General Fund to Desoto Commission for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

was taken up.

On motion of Senator Bedford, further consideration of the Bill was postponed subject to the call of the Chair.

THE BILL:

H. 21. To make an appropriation of \$200,000 from the State General Fund to Fort Gaines for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

was taken up.

On motion of Senator Bedford, further consideration of the Bill was postponed subject to the call of the Chair.

THE BILL:

H. 22. To make an appropriation of \$20,000 from the State General Fund to Fort Payne Depot for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

was taken up.

On motion of Senator Bedford, further consideration of the Bill was postponed subject to the call of the Chair.

THE BILL:

H. 24. To make an appropriation from the State General Fund to the Wallace Industrial Air Park for the fiscal year ending September 30, 1989,

and to require an operations plan and audited financial statement prior to release of any funds.

was taken up.

On motion of Senator Bedford, further consideration of the Bill was postponed subject to the call of the Chair.

THE BILL:

H. 25. To make an appropriation of \$75,000 from the State General Fund to Alabama Travel Council for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

was taken up.

On motion of Senator Bedford, further consideration of the Bill was postponed subject to the call of the Chair.

THE BILL:

H. 26. To make an appropriation of \$50,000 from the State General Fund to the Southern Museum of Flight for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

was taken up.

On motion of Senator Bedford, further consideration of the Bill was postponed subject to the call of the Chair.

THE BILL:

H. 27. To make an appropriation of \$30,000 from the State General Fund to the Pea River Historical Society for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

was taken up.

On motion of Senator Bedford, further consideration of the Bill was postponed subject to the call of the Chair.

THE BILL:

H. 28. To make an appropriation of \$50,000 from the State General Fund to the Mountain Lakes Tourist Association for the fiscal year ending September 30, 1989.

was taken up.

On motion of Senator Bedford, further consideration of the Bill was postponed subject to the call of the Chair.

THE BILL:

H. 29. To make an appropriation of \$5,000 from the State General Fund to Lee County Historical Society and Museum for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

was taken up.

On motion of Senator Bedford, further consideration of the Bill was postponed subject to the call of the Chair.

THE BILL:

H. 30. To make an appropriation of \$30,000 from the State General Fund to Helen Keller Property Board for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

was taken up.

On motion of Senator Bedford, further consideration of the Bill was postponed subject to the call of the Chair.

THE BILL:

H. 31. To make an appropriation of \$50,000 from the State General Fund to W.C. Handy Property Board for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

was taken up.

On motion of Senator Bedford, further consideration of the Bill was postponed subject to the call of the Chair.

THE BILL:

H. 16. To make an appropriation from the State General Fund to the Mallard Fox Creek Port and Industrial Park for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

was taken up.

On motion of Senator Bedford, further consideration of the Bill was postponed subject to the call of the Chair.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. Biddle, Wright, Payne, White (G), McDowell, Beers, Curry, Davis, Escott, Gray, McClain, Newton, Perdue, Petelos, Rogers, Seibels, Slaughter, and Spratt:

H. J. R. 31. NAMING THE BRIDGE OVER THE LOCUST FORK OF THE BLACK WARRIOR RIVER IN JEFFERSON COUNTY, THE "RAY MOORE BRIDGE."

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Senator Amari, the Rules were suspended and the Resolution, H. J. R. 31, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Haynes:

H. J. R. 30. MEMORIALIZING THE UNITED STATES CONGRESS TO OVERRIDE THE PRESIDENT'S VETO OF THE TEXTILE, APPAREL AND FOOTWEAR TRADE ACT, H. R. 1154.

WHEREAS, Alabama's healthy economy is highly dependent on the textile industry and markets and the textile industry has plants in operation in the sixty-seven counties of this state with an annual payroll of over \$1.4 billion and is the state's largest manufacturing industry; and

WHEREAS, the jobs and livelihood of the 100,300 Alabama employees in textile operations in this state, and the well-being of their families, now are in jeopardy because of the veto of the Textile, Apparel and Footwear Trade Act, H. R. 1154, and the veto treats them with disdain; and

WHEREAS, the veto of this trade bill will export the jobs of many Alabamians to other countries and severely affect our economy and the nation's trade balance; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we do hereby memorialize the United States Congress to forthwith override the President's veto of H. R. 1154, the Textile, Apparel and Footwear Trade Act so that the jobs and livelihood of many Alabamians will be saved from extinction.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to each member of the Alabama Congressional Delegation.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 30, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

RESOLUTIONS

Senator Bedford offered the following Senate Resolutions, to-wit:

S. R. 37. COMMENDING DAVID SIBLEY, RUSSELLVILLE, ALABAMA, OUTSTANDING ECONOMIC DEVELOPMENT VOLUNTEER OF THE YEAR.

Also:

S. R. 38. COMMENDING PAUL P. WILLIAMS OF HALEYVILLE, ALABAMA, FOR DISTINGUISHED PROFESSIONAL ACHIEVEMENT AND SERVICE.

Also:

S. R. 39. COMMENDING JEAN WEST AS AN OUTSTANDING HOME ECONOMIST, WINSTON COUNTY, ALABAMA.

Also:

S. R. 40. COMMENDING JERRY BAKER, RUSSELLVILLE, ALABAMA, EXEMPLARY JUNIOR COLLEGE GRADUATE.

Also:

S. R. 41. COMMENDING MRS. SARA CLARK ON HER RETIREMENT.

Also:

S. R. 42. COMMENDING LOUISE HYATT OF RUSSELLVILLE, ALABAMA, FOR OUTSTANDING COMMUNITY SERVICE.

Which were filed.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Joint Resolution:

H. J. R. 20. DESIGNATING THE ACT NO. 88-856, S. 196, 1988 FIRST SPECIAL SESSION, AS THE "DIXON-BUTLER CONTRACT REVIEW ACT."

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 30. COMMENDING ARTHUR D. SHORES OF BIRMINGHAM, PROMINENT ALABAMA ATTORNEY AND CIVIL RIGHTS LEADER.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 5. COMMENDING CALVIN WOOTEN OF ANNISTON, ALABAMA, FOR OUTSTANDING ACHIEVEMENT AND CONTRIBUTIONS ON BEHALF OF THE BLIND AND VISUALLY IMPAIRED.

Also:

S. J. R. 6. COMMENDING JACK BOYKIN OF MONTROSE, ALABAMA, FOR OUTSTANDING GENEROSITY AND SERVICE TO THE ETHICS COMMISSION AND STATE OF ALABAMA.

Also:

S. J. R. 14. NAMING H. B. 6, ACT NO. 88-873, THE "CAMPBELL-BENNETT ACT."

Also:

S. J. R. 16. MOURNING THE DEATH OF JAMES WALSTON HESTER OF RUSSELLVILLE, ALABAMA.

Also:

S. J. R. 21. DESIGNATING A CERTAIN ROAD LOCATED OFF ALABAMA HIGHWAY 18 IN FAYETTE COUNTY AS THE "PIERCIE KIMBRELL ROAD."

JOHN W. PEMBERTON,
Clerk.

RECESS

At 1:35 P.M., on motion of Senator Corbett, the Senate took a recess until 4 o'clock this afternoon.

At 4 o'clock P.M., the recess period having expired, the Senate was called to order by Lieutenant Governor Folsom. A quorum of the Senate was present.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 8. To levy a privilege tax, on the pari-mutuel pool at any dog race track in the State of Alabama; to provide for the total take out by a licensee on pari-mutuel pools; to provide for the assessment and collection of such tax; to confer powers and impose duties on the Department of Revenue; to prescribe penalties for non-compliance; to provide for the distribution of the proceeds of such tax; and to provide for the requirements and procedures for the withholding of income tax due the State of Alabama on certain winnings from gambling and wagering and the requirements and procedures for the remittance of such withholding to the Department of Revenue.

JOHN W. PEMBERTON,
Clerk.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Joint Resolutions with the original Senate Joint Resolutions, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 5. COMMENDING CALVIN WOOTEN OF ANNISTON, ALABAMA, FOR OUTSTANDING ACHIEVEMENT AND CONTRIBUTIONS ON BEHALF OF THE BLIND AND VISUALLY IMPAIRED.

Also:

S. J. R. 6. COMMENDING JACK BOYKIN OF MONTROSE, ALABAMA, FOR OUTSTANDING GENEROSITY AND SERVICE TO THE ETHICS COMMISSION AND STATE OF ALABAMA.

Also:

S. J. R. 14. NAMING H. B. 6, ACT NO. 88-873, THE "CAMPBELL-BENNETT ACT."

Also:

S. J. R. 16. MOURNING THE DEATH OF JAMES WALSTON HESTER OF RUSSELLVILLE, ALABAMA.

Also:

S. J. R. 21. DESIGNATING A CERTAIN ROAD LOCATED OFF ALABAMA HIGHWAY 18 IN FAYETTE COUNTY AS THE "PIERCIE KIMBRELL ROAD."

Also:

S. J. R. 30. COMMENDING ARTHUR D. SHORES OF BIRMINGHAM, PROMINENT ALABAMA ATTORNEY AND CIVIL RIGHTS LEADER.

BILL DRINKARD,
Chairperson.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolutions, the titles of which are set out in the foregoing report from the Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 20. DESIGNATING THE ACT NO. 88-856, S. 196, 1988 FIRST SPECIAL SESSION, AS THE "DIXON-BUTLER CONTRACT REVIEW ACT."

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill and House Joint Resolution, your signature thereto is requested.

H. 44. To amend Sections 32-9-20 and 32-9-25 of the Code of Alabama 1975 relating to motor vehicle sizes and lengths so as to further regulate the sizes and lengths of motor vehicles on highways in Alabama, and to further regulate exceptions and exemptions.

Also:

H. J. R. 31. NAMING THE BRIDGE OVER THE LOCUST FORK OF THE BLACK WARRIOR RIVER IN JEFFERSON COUNTY, THE "RAY MOORE BRIDGE."

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS AND RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill and House Joint Resolution, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 8. To levy a privilege tax, on the pari-mutuel pool at any dog race track in the State of Alabama; to provide for the total take out by a licensee on pari-mutuel pools; to provide for the assessment and collection of such tax; to confer powers and impose duties on the Department of Revenue; to prescribe penalties for non-compliance; to provide for the distribution of the proceeds of such tax; and to provide for the requirements and procedures for the withholding of income tax due the State of Alabama on certain winnings from gambling and wagering and the requirements and procedures for the remittance of such withholding to the Department of Revenue.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

FURTHER CONSIDERATION OF H. B. 45, AS AMENDED

The Senate proceeded to further consideration of the Bill, H. B. 45, as amended.

On motion of Senator Cabaniss, further consideration of the Bill, H. B. 45, as amended, was again postponed subject to the call of the Chair.

FURTHER CONSIDERATION OF H. B. 14

The Senate proceeded to further consideration of the Bill, H. B. 14.

And said Bill was read a third time at length and passed.

Yeas 23; Nays 3.

Yeas:

Senators:	deGraffenried	Figures	Manley	
Amari	Denton	Foshee	Menton	
Bedsole	Dial	Goodwin	Parsons	
Bennett	Dixon	Hale	Preuitt	
Cabaniss	Drinkard	Holmes	Smith (B)	
Campbell	Ellis	Horn	Smith (J)	—23

Nays:

Senators:	Bedford	Corbett	Sanders	—3
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FURTHER CONSIDERATION OF H. B. 15

The Senate proceeded to further consideration of the Bill, H. B. 15.

And said Bill, H. B. 15, was read a third time at length and passed.

Yeas 23; Nays 3.

Yeas:

Senators:	deGraffenried	Figures	Manley	
Amari	Denton	Foshee	Menton	
Bedsole	Dial	Goodwin	Parsons	
Bennett	Dixon	Hale	Preuitt	
Cabaniss	Drinkard	Holmes	Smith (B)	
Campbell	Ellis	Horn	Smith (J)	—23

Nays:

Senators:	Bedford	Corbett	Sanders	—3
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FURTHER CONSIDERATION OF H. B. 40

The Senate proceeded to further consideration of the Bill, H. B. 40.

And said Bill was read a third time at length and passed.

Yeas 23; Nays 3.

Yeas:

Senators:	Denton	Foshee	Langford	
Amari	Dial	Goodwin	Manley	
Bedford	Dixon	Hale	Menton	
Bennett	Drinkard	Hilliard	Parsons	
Bishop	Ellis	Holmes	Rice	
Cabaniss	Figures	Horn	Sanders	—23

Nays:

Senators: Corbett Smith (B) Smith (J) —3

REPORT FROM RULES

Senator Drinkard, Chairperson of the Standing Committee on Rules, reported that said committee, in session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 30. MEMORIALIZING THE UNITED STATES CONGRESS TO OVERRIDE THE PRESIDENT'S VETO OF THE TEXTILE, APPAREL AND FOOTWEAR TRADE ACT, H. R. 1154.

And on motion of Senator Corbett, said Resolution, H. J. R. 30, was concurred in and adopted by the Senate.

Senator Drinkard, Chairperson of the Standing Committee on Rules, then reported that said committee, in session, had acted on the following Senate Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

S. J. R. 26. NAMING THE BRIDGE OVER THE LOCUST FORK OF THE BLACK WARRIOR RIVER IN JEFFERSON COUNTY, THE "RAY MOORE BRIDGE."

On motion of Senator Amari, said Resolution was adopted by the Senate.

RESOLUTION

Senators Denton, Amari, Bailey, Barron, Bedford, Bedsole, Bennett, Bishop, Cabaniss, Campbell, Corbett, Covington, deGraffenried, Dial, Dixon, Drinkard, Ellis, Figures, Foshee, Goodwin, Hale, Hand, Hilliard, Holmes, Horn, Langford, Manley, Menton, Mitchem, Parsons, Preuitt, Rice, Sanders, Smith (B), and Smith (J) offered the following Senate Joint Resolution, to-wit:

S. J. R. 43. CONGRATULATING DR. D. L. "DAN" IRELAND, PRESIDENT OF THE AMERICAN COUNCIL ON ALCOHOL PROBLEMS.

WHEREAS, the Alabama Legislature, with highest commendation, notes the election of Dr. D. L. "Dan" Ireland of Birmingham, Alabama, as President of the American Council on Alcohol Problems (ACAP); and

WHEREAS, the American Council on Alcohol Problems is a prominent national organization of affiliates in 37 states concerned with the control of the traffic in alcoholic beverages and the resulting problems; and

WHEREAS, Dr. Ireland, is a graduate of Ensley High School, Samford University and the New Orleans Baptist Theological Seminary and has been active in pastorates throughout the state of Alabama and he has earned the respect and love of many throughout the state for his generous ministry to them and he has served as President of the Alabama Baptist State Convention and held many other important denominational offices; and

WHEREAS, Dr. Ireland has served on various task forces and government projects to alleviate the suffering of his fellowmen and has made outstanding contributions for enriching the lives of others, and he has been

a dedicated worker in scouting and has given his time and talents in service to many civic organizations, including the United Givers and Civitan, International; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That in recognition of the numerous distinguished achievements and service, and in his prestigious election to the presidency of the American Council on Alcohol Problems we do highly commend and honor Dr. D. L. "Dan" Ireland, and we do further direct that he receive a copy of this resolution.

On motion of Senator Denton, the Rules were suspended and the Resolution was adopted by the Senate.

BILLS ON THIRD READING RESUMED

Senator Dial requested and received permission to suspend the Rules in order to bring up the Bill:

H. 5. This bill provides for an exception to the confidentiality provision of Chapter 11a of Title 22, Code of Alabama 1975, when a potential risk exists in the spread of a contagious disease by authorizing the State Committee of Public Health to establish guidelines for notification of pre-hospital transport agencies, funeral directors, school superintendents and others when indicated. The bill further sets penalties for violation.

And said Bill, H. B. 5, was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Senators:	Campbell	Ellis	Langford
Amari	Corbett	Foshee	Manley
Bailey	Denton	Goodwin	Menton
Bedford	Dial	Hale	Sanders
Bedsole	Dixon	Holmes	Smith (B)
Bennett	Drinkard	Horn	Smith (J)
Cabaniss			

24

Nays:

—0

Senator Dial requested and received permission to suspend the Rules in order to bring up the Bill:

H. 39. To amend further section 17-4-156, Code of Alabama 1975, as amended, relating to meeting days of the boards of registrars, so as to provide further for such meeting days and to provide an effective date.

And said Bill, H. B. 39, was read a third time at length and passed.

Yeas 27; Nays 0.

Yeas:

Senators:	Cabaniss	Ellis	Horn
Amari	Campbell	Figures	Langford
Bailey	Corbett	Foshee	Manley
Bedford	Denton	Goodwin	Menton
Bedsole	Dial	Hale	Parsons
Bennett	Dixon	Hilliard	Sanders
Bishop	Drinkard	Holmes	Smith (B)

—27

Nays:

—0

Senator Manley requested and received permission to suspend the Rules in order to bring up the Bill:

H. 10. To provide for the creation of a special account to which the Legislature shall appropriate certain funds to prevent proration in the Alabama Special Educational Trust Fund; to prescribe criteria and procedures for withdrawals from such account in years of proration or in emergency situations as may be determined by the Legislature; to make annual appropriations to such account until a certain amount is established and to provide that such amount shall be maintained in separate trust from year to year except during years of proration in the Alabama Special Educational Trust Fund and in emergencies; to prescribe procedures and criteria for reimbursement to such account after withdrawals; to provide for the retention of accrued interest; to provide for an effective date; and to repeal conflicting provisions.

And said Bill, H. B. 10, was read a third time at length and passed.

Yeas 26; Nays 0.

Yeas:

Senators:	Cabaniss	Ellis	Horn	
Amari	Campbell	Figures	Langford	
Bailey	Corbett	Foshee	Manley	
Bedford	Denton	Goodwin	Menton	
Bedsole	Dial	Hale	Smith (B)	
Bennett	Dixon	Hilliard	Smith (J)	
Bishop	Drinkard	Holmes		—26

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 16. To further amend Section 40-12-252, Code of Alabama 1975, as amended, relating to the basis of tax for truck trailers, tractor trailers and semitrailers, so as to authorize a five-year registration option for these vehicles as now permitted for rental utility trailers, and gives the Department of Revenue the authority to develop and promulgate reasonable rules and regulations as needed to administer the provisions of this act.

JOHN W. PEMBERTON,
Clerk.

BILLS ON THIRD READING RESUMED

Senator Bedsole requested and received permission to suspend the Rules in order to bring up the Bill:

H. 38. Relating to the eradication and control of swine diseases; to make a conditional appropriation to the Department of Agriculture and Industries for the fiscal year ending September 30, 1989, to indemnify owners of swine for the value of any swine ordered condemned and destroyed for the prevention and eradication of the disease of hog cholera, African swine fever and other swine diseases.

And said Bill, H. B. 38, was read a third time at length and passed.

Yeas 22; Nays 0.

Yeas:

Senators:	Cabaniss	Ellis	Langford	
Amari	Campbell	Foshee	Manley	
Bedford	Corbett	Goodwin	Menton	
Bedsole	Covington	Hale	Preuitt	
Bennett	Denton	Hilliard	Smith (B)	
Bishop	Drinkard	Holmes		—22

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 35. COMMENDING THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION AND MARSHALL SPACE FLIGHT CENTER ON THE SUCCESSFUL LAUNCH OF THE DISCOVERY SHUTTLE.

JOHN W. PEMBERTON,
Clerk.

BILLS ON THIRD READING RESUMED

Senator Covington requested and received permission to suspend the Rules in order to bring up the Bill:

S. 52. Proposing an amendment to the Constitution of 1901, as amended, relating to the legislative process for considering the major appropriations bills for the operations of education, the operations of the executive, legislative and judicial branches of state government, the state public debt, and the other business of state government and setting a time frame therefor; and repealing Amendment No. 448 to the Constitution of 1901, as amended, Act No. 81-889, S. 32, First Special Session 1981 (Acts 1981, First, Second and Third Special Sessions, p. 25) relating to the legislative process for certain appropriations.

On motion of Senator Covington, further consideration of the Bill was postponed subject to the call of the Chair.

RECESS

At 5:25 P.M., Senator Corbett moved that the Senate take a recess subject to the call of the Chair.

Senator Goodwin offered a substitute motion that the Senate take a recess until 6:30 this evening, which motion was adopted.

NIGHT SESSION
FIFTH LEGISLATIVE DAY
FRIDAY, SEPTEMBER 30, 1988

At 6:30 P.M., the Senate reassembled in the Senate Chamber, Lieutenant Governor Folsom presiding.

ROLL CALL

Present:

Senators:	Corbett	Foshee	Manley
Amari	Covington	Goodwin	Menton
Bailey	deGraffenried	Hale	Parsons
Bedford	Denton	Hand	Preuitt
Bedsole	Dial	Hilliard	Rice
Bennett	Dixon	Holmes	Sanders
Bishop	Drinkard	Horn	Smith (B)
Cabaniss	Ellis	Langford	Smith (J)
Campbell	Figures		

—33

BILLS ON THIRD READING RESUMED

Senator Corbett requested and received permission to suspend the Rules in order to bring up the Bill:

H. 9. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, for other functions of government, for interest on the public debt, and for capital outlay for the fiscal year ending September 30, 1989.

The Standing Committee on Finance and Taxation reported the following amendment No. 4 to the Bill, H. B. 9, to-wit:

AMENDMENT NO. 4 TO H. B. 9

Amend House Bill 9 on Page 4, Lines 9 and 36 by striking the figure "8,898,709" and inserting in lieu thereof the figure "8,798,709".

Further amend House Bill 9 on Page 4 by striking Lines 29 and 30 in their entirety.

Further amend House Bill 9 on Page 4, Line 36 by striking the figure "100,000".

Further amend House Bill 9 on Page 74, Line 31, by striking the word "Legislature" and inserting in lieu thereof the words "State General Fund".

Further amend House Bill 9 on Page 75, Line 9, by striking the words "Legislature , authorized" and inserting in lieu thereof the words "State General Fund".

Further amend House Bill 9 on Page 75, by striking Lines 10 through 12 in their entirety.

On motion of Senator Corbett, said amendment No. 4 was laid on the table.

The Standing Committee on Finance and Taxation then reported the following amendment No. 3 to the Bill, H. B. 9, to-wit:

AMENDMENT NO. 3 TO H. B. 9

Amend House Bill 9 on Page 51, Line 21, by deleting the amount "982,540" and inserting in lieu thereof the amount "582,540".

Further amend House Bill 9 on Page 52, Line 16, by deleting the amount "982,540" and inserting in lieu thereof the amount "582,540".

Further amend House Bill 9 on Page 52, Line 20, by deleting the amounts "2,547,295" and "3,372,947" and inserting in lieu thereof the amounts "2,147,295" and "2,972,947" respectively.

Further amend House Bill 9 on Page 43, Line 32 by deleting the amount "64,630,465" and inserting in lieu thereof the amount "65,030,465".

Further amend House Bill 9 on Page 44, Line 21, by deleting the amount "26,051,363" and inserting in lieu thereof the amount "26,451,363".

Further amend House Bill 9 on Page 45, Line 14, by deleting the amounts "26,051,363" and "126,170,979" and inserting in lieu thereof the amounts "26,451,363" and "126,570,979", respectively.

On motion of Senator Corbett, said amendment No. 3 was laid on the table.

The Standing Committee on Finance and Taxation then reported the following amendment No. 2 to the Bill, H. B. 9, to-wit:

AMENDMENT NO. 2 TO H. B. 9

Amend House Bill 9 on Page 55 by deleting Lines 24 through 28 in their entirety.

On motion of Senator Corbett, said amendment No. 2 was laid on the table.

The Standing Committee on Finance and Taxation then reported the following amendment No. 1 to the Bill, H. B. 9, to-wit:

AMENDMENT NO. 1 TO H. B. 9

Amend House Bill 9 on Page 61, after Line 34, by inserting the following: "There is also hereby conditionally appropriated \$3,000,000 from the special mental health fund which shall be conditioned on the availability of funds and approval by the Governor."

On motion of Senator Corbett, said amendment No. 1 was laid on the table.

Senator Horn offered the following substitute for the Bill, H. B. 9, to-wit:

SUBSTITUTE FOR H. B. 9

**A BILL
TO BE ENTITLED
AN ACT**

To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, for other functions of

government, for interest on the public debt, and for capital outlay for the fiscal year ending September 30, 1989.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

SECTION 1. The monies in Section 2 are appropriated from the named funds for the 1988-89 fiscal year to the state agency indicated, as the amounts to be used to pay the expenditures of the named agencies, and are in lieu of all monies appropriated for these purposes in other sections of the Alabama Statutes.

For the purpose of this Act, the amounts herein for expenditures are listed by programmatic area and the totals for all programs are shown by the source of funds. It is intended that only the named funds be appropriated to the agency concerned; and that the following definitions shall be applicable:

- (a) "Appropriation Total" shall mean the aggregate total of all fund sources.
- (b) "Program" shall mean specific governmental services required to achieve a specific objective. A program shall be directed to meeting the need of an identified clientele, or group of recipients or beneficiaries.
- (c) "Capital Outlay" shall mean expenditures which result in the acquisition and/or addition to items, such as land or buildings, which have an appreciable and calculable period of usefulness in excess of one year, and shall be expended only for such purposes.
- (d) "Debt Service" shall mean an expenditure for the payment of interest and principal on all bonded debt obligations of the State, and shall be expended only for such purposes.

SECTION 2. There is hereby appropriated for the ordinary expenses of the executive, legislative, and judicial departments of the State, for other functions of government, for the principal and interest on the public debt, and for capital outlay for the fiscal year ending September 30, 1989, to be paid out of any monies hereinafter specified, from such other funds and accounts as may be designated, or so much thereof as may be necessary, and the total amount to be expended for the items for which the appropriation is herein made shall not exceed the amount provided therefor, except as provided in the Budget Management Act of 1976, Sections 41-19-1 through 12, Code of Alabama 1975. Provided, however, that regardless of the ending date of any pay period which has been or may be established by the Legislature for the payment of salaries of state employees, the entire payment due shall be made from the fiscal year's appropriation in which the pay date falls.

Fund Sources Included In Appropriation Total		
General Fund	Trust Fund	Appropriation Total

2A. LEGISLATIVE:

**1. EXAMINERS OF PUBLIC
ACCOUNTS, DEPARTMENT
OF:**

- (a) Legislative Support-Audit
Services Program 8,425,687

SOURCE OF FUNDS:

- (1) State General Fund 8,225,687

SECOND EXTRAORDINARY SESSION
5th Day

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
	(2) Federal Funds		200,000	
	Total Department of Exam- iners of Public Accounts	8,225,687	200,000	8,425,687
2.	LAW INSTITUTE, ALABAMA:			
	(a) Support of Other Educational Activities Program			315,122
	SOURCE OF FUNDS:			
	(1) State General Fund	315,122		
	Total Alabama Law Institute	315,122		315,122
3.	LEGISLATIVE COUNCIL:			
	(a) Legislative Operations and Support Program			212,200
	SOURCE OF FUNDS:			
	(1) State General Fund	212,200		
	Pursuant to Section 29-6- 1 et seq., <u>Code of Alabama</u> <u>1975.</u>			
	Total Legislative Council	212,200		212,200
4.	LEGISLATIVE FISCAL OFFICE:			
	(a) Legislative Operations and Support Program (to include program review and evaluation)			948,809
	SOURCE OF FUNDS:			
	(1) State General Fund	948,809		
	Total Legislative Fiscal Office	948,809		948,809
5.	LEGISLATIVE REFERENCE SERVICE:			
	(a) Legislative Operations and Support Program			1,094,243
	SOURCE OF FUNDS:			
	(1) State General Fund	1,094,243		
	Total Legislative Reference Service	1,094,243		1,094,243
6.	LEGISLATURE:			
	(a) Legislative Operations and Support Program			8,500,000
	It is the intent of the Legisla- ture that (1) the above appro- priation shall include funds for			

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Fund Sources Included
In Appropriation Total

General Fund	Trust Fund	Appropriation <u>Total</u>
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the necessary technical expenses associated with reapportionment, (2) that at least \$50,000 shall be allocated for the Senate Finance and Taxation Committee, the Office of the Senate Pro Tempore and the Senate Rules Committee, and (3) that at least \$50,000 shall be allocated for the Ways and Means Committee, the House Rules Committee and the office of the Speaker of the House.

The appropriation to the Legislature shall be expended under the provisions set forth in Section 29-1-22, Code of Alabama 1975.

SOURCE OF FUNDS:

(1) State General Fund	8,500,000	
Total Legislature	8,500,000	8,500,000

7. LEGISLATURES, NATIONAL CONFERENCE OF STATE:

(a) Legislative Operations and Support Program		72,667
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SOURCE OF FUNDS:

(1) State General Fund	72,667	
Total National Conference of State Legislatures	72,667	72,667

2B. JUDICIAL:

1. COURT OF CIVIL APPEALS:

(a) Court Operations Program		1,156,729
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SOURCE OF FUNDS:

(1) State General Fund	1,156,729	
Total Court of Civil Appeals ..	1,156,729	1,156,729

2. COURT OF CRIMINAL APPEALS:

(a) Court Operations Program		1,729,106
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SOURCE OF FUNDS:

(1) State General Fund	1,729,106	
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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
Total Court of Criminal Appeals		1,729,106		1,729,106
3.	JUDICIAL INQUIRY COMMISSION:			
(a)	Administrative Services Program			120,000
	SOURCE OF FUNDS:			
(1)	State General Fund	120,000		
	Total Judicial Inquiry Commission	120,000		120,000
4.	JUDICIAL RETIREMENT FUND:			
(a)	Retirement Systems Program			1,524,500
	SOURCE OF FUNDS:			
(1)	State General Fund	1,524,500		
	Total Judicial Retirement Fund	1,524,500		1,524,500
5.	SUPREME COURT:			
(a)	Court Operations Program			4,455,494
	SOURCE OF FUNDS:			
(1)	State General Fund	4,455,494		
	Total Supreme Court	4,455,494		4,455,494
6.	UNIFIED JUDICIAL SYSTEM:			
	(Administrative Office of Courts)			
(a)	Court Operations Program			57,848,108
(b)	Administrative Services Program			3,200,000
(c)	DUI Referral Program			100,000
(d)	Fringe Benefit Program, Estimated			300,000
	SOURCE OF FUNDS:			
(1)	State General Fund	60,970,108		
(2)	State General Fund-Social Security-County Judicial, Estimated	300,000		
(3)	Clerks and Registers Supernumerary Fund		178,000	
	Total Unified Judicial System	61,270,108	178,000	61,448,108

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
2C. EXECUTIVE:				
1. ACADEMY OF HONOR, ALABAMA:				
(a) Historical Resources Manage- ment Program				1,784
SOURCE OF FUNDS:				
(1) State General Fund		1,784		
As provided in Section 41- 11-6, <u>Code of Alabama</u> <u>1975</u> , and an additional amount.				
Total Alabama Academy of Honor		1,784		1,784
2. ACCOUNTANCY, ALABAMA STATE BOARD OF PUBLIC:				
(a) Professional and Occupational Licensing and Regulation Program				341,699
SOURCE OF FUNDS:				
(1) Alabama State Board of Public Accountancy Fund			341,699	
As provided in Section 34- 1-22, <u>Code of Alabama</u> <u>1975</u> . In addition to the amounts appropriated hereinabove to the State Board of Public Accoun- tancy, there is hereby ap- propriated such an amount as may be necessary to pay the refund of any applica- tion for license which may have been rejected by the Board or withdrawn by re- quest of applicant.				
Total Alabama State Board of Public Accountancy			341,699	341,699
3. ADJUSTMENT, BOARD OF:				
(a) Special Services Program				222,400
SOURCE OF FUNDS:				
(1) State General Fund		11,200		
For the State General Fund Contribution to the				

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
total expenditure of \$750,000 pursuant to Sec- tion 41-9-73, <u>Code of Ala- bama 1975.</u>				
(2) State General Fund, Estimated	200,000			
For expenditures as pro- vided in Section 31-3-2 and Section 36-30-2, <u>Code of Alabama 1975.</u>				
(3) State General Fund - Ad- ministrative Costs	11,200			
Total Board of Adjustment ...	222,400			222,400
4. AERONAUTICS, DEPARTMENT OF:				
(a) Airport Development and Aer- onautical Support Program				867,986
SOURCE OF FUNDS:				
(1) Airport Development Fund			867,986	
As provided by Section 4- 2-42, <u>Code of Alabama 1975.</u>				
Total Department of Aeronautics			867,986	867,986
5. AGING, COMMISSION ON:				
(a) Planning and Advocacy for the Elderly Program				16,686,225
(b) Medicaid Waiver Services Program				6,271,024
SOURCE OF FUNDS:				
(1) State General Fund - Transfer	1,320,036			
(2) State General Fund - Transfer Medicaid Waiver	1,694,879			
(3) Federal, Local and Miscel- laneous Funds			19,942,334	
Total Commission on Aging ..	3,014,915	19,942,334		22,957,249
The Commission on Aging shall contract with the existing				

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	Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
	General Fund	Trust Fund	
Regional Planning Commissions or Councils of Local Governments and/or Area Agencies on Aging to provide services for one-third of the State's present and future client slots for the program known as the "Medicaid Waiver Services Program-Home and Community-Based Waiver for the Elderly and Disabled". The Commission on Aging shall not withdraw Area Agency on Aging designations or alter the funding relationships with existing Area Agencies on Aging and Regional Planning Commissions or Councils of Local Governments without the approval of the Board of Directors of the Alabama Commission on Aging and complying with all federal and state statutory and regulatory requirements.			
AGRICULTURAL AND CONSERVATION DEVELOPMENT COMMISSION:			
Water Resource Development Program			2,219,926
SOURCE OF FUNDS:			
(1) State General Fund - Transfer	2,149,926		
(2) Miscellaneous Funds		70,000	
As provided in Section 9- 8A-4.1, <u>Code of Alabama</u> <u>1975.</u>			
Total Agricultural and Conser- vation Development Commission	2,149,926	70,000	2,219,926

7. AGRICULTURAL AND
INDUSTRIAL EXHIBIT
COMMISSION, ALABAMA:

(a) Agricultural Development Services Program	50,000
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SECOND EXTRAORDINARY SESSION
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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
SOURCE OF FUNDS:				
(1) State General Fund	50,000			
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Total Alabama Agricultural and Industrial Exhibit Commission	50,000			50,000
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8. AGRICULTURAL CENTER BOARD:				
(a) Agricultural Development Services Program				859,749
SOURCE OF FUNDS:				
(1) State General Fund	169,354			
For expense and awarding of prizes for fairs as pro- vided in Section 2-7-21, <u>Code of Alabama 1975</u> , and other livestock shows and expositions.				
(2) State General Fund - Transfer-Operations	122,603			
(3) State General Fund - Transfer-Livestock Coliseum	282,982			
(4) Livestock Coliseum Fund			284,810	
<hr/>				
Total Agricultural Center Board	574,939	284,810		859,749
<hr/>				
9. AGRICULTURE AND INDUSTRIES, DEPARTMENT OF:				
(a) Administrative Services Program				1,782,511
(b) Agricultural Inspection Serv- ices Program				10,553,791
(c) Laboratory Analysis and Dis- ease Control Program				3,968,608
(d) Agricultural Development Services Program				2,432,872
SOURCE OF FUNDS:				
(1) State General Fund - Transfer	7,925,878			
(2) Federal, Local and Miscel- laneous Funds			2,295,904	

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
(3)	Shipping Point Inspection Fund		4,228,805	
	Pursuant to Sections 2-9- 20 et seq., Code of Ala- bama 1975. All fees and charges collected by the Commissioner of Agricul- ture and Industries and deposited into said fund, and such appropriation to the Department of Agri- culture and Industries shall include all fees and charges collected and deposited therein for Shipping Point Inspection grading and classification services for agricultural products in- cluding services furnished for weighing and issuing weight certificates to be used for the sale of agri- cultural commodities.			
(4)	Agricultural Fund		4,287,195	
	Total Department of Agricul- ture and Industries	7,925,878	10,811,904	18,737,782
10.	ALABAMA TRUST FUND BOARD:			
(a)	Administrative Program			35,886
	SOURCE OF FUNDS:			
(1)	State General Fund - Transfer	35,886		
	Total Alabama Trust Fund Board	35,886		35,886
11.	ALCOHOLIC BEVERAGE CONTROL BOARD, ALABAMA:			
(a)	Alcoholic Beverage Manage- ment Program			22,029,145
(b)	Enforcement Program			5,886,000
	The level and type of services to be provided by the Alcoholic Beverage Control Board for the Enforcement Program in fiscal			

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Fund Sources Included
In Appropriation Total

General Fund	Trust Fund	Appropriation <u>Total</u>
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year 1988-89 shall not be reduced below the level of services provided in this program in fiscal year 1987-88.

(c) Administrative Services

Program 4,044,840

The appropriation to the Alabama Alcoholic Beverage Control Board shall include a transfer to the Department of Mental Health of \$1,000,000 and a transfer to the Department of Public Safety of \$2,000,000. The above transfers shall be made from the operating funds of the Alcoholic Beverage Control Board and shall not affect any distribution of revenue generated from the sale of alcoholic beverages.

SOURCE OF FUNDS:

(1) ABC Board Fund 31,959,985

In addition to the above appropriations herein made, there is hereby appropriated for each additional retail store put into operation during the fiscal year, an amount equal to the sum required to install and operate the last comparable retail store put into operation by said Board. There is further appropriated to the Alabama Alcoholic Beverage Control Board, after provision has been made for the other expenditures herein authorized, such sums as are or may be necessary to purchase the alcoholic beverages which are essential to maintain adequate stocks and inventory for an economic and successful sales operation. In addition to the above appropriation, it is further

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
<p>provided that, in the event any county or municipality of the State shall, during the fiscal period covered by this appropriation by proper referendum, authorize the legal sale of malt and brewed beverages within such county or municipality there is further appropriated, in addition to the amount herein set out, an amount comparable to that expended during the prior fiscal year for beer and license tax supervision within counties or municipalities of similar size and population. Provided, further that the amount appropriated herein shall be reduced in like manner in the event any county or municipality wherein malt and brewed beverages are now authorized by law to be sold shall, during the fiscal period covered by this appropriation by proper referendum, declare unlawful the sale in such county or municipality of such malt or brewed beverages.</p>				
Total Alabama Alcoholic Beverage Control Board			31,959,985	31,959,985
12.	ARCHITECTS, BOARD FOR REGISTRATION OF:			
(a)	Professional and Occupational Licensing and Regulation Program			215,000
SOURCE OF FUNDS:				
(1)	Fund of the Board for Registration of Architects		215,000	
	As provided in Section 34-2-41, <u>Code of Alabama 1975.</u>			

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
Total Board for Registration of Architects			215,000	215,000
<hr/>				
13. ARCHIVES AND HISTORY, DEPARTMENT OF:				
(a) Historical Resources Manage- ment Program				2,677,074
SOURCE OF FUNDS:				
(1) State General Fund		2,556,704		
(2) Federal Funds			120,370	
<hr/>				
Total Department of Archives and History		2,556,704	120,370	2,677,074
<hr/>				
14. ATTORNEY GENERAL, OFFICE OF THE:				
(a) Legal Advice and Legal Serv- ices Program				6,783,322
(b) Fair Marketing Practices Program				605,000
SOURCE OF FUNDS:				
(1) State General Fund - Transfer		5,750,000		
(2) State General Fund - Transfer - Consumer Protection		550,000		
(3) Transfer from Depart- ment of Human Resources			404,099	
(4) Federal, Local and Miscel- laneous Funds			684,223	
<hr/>				
Total Office of the Attorney General		6,300,000	1,088,322	7,388,322

In addition to the above appropriation to the Office of the Attorney General, there is hereby appropriated the amount of \$611,000 to be conditional upon obtaining federal funds and it being used solely to continue operation of a Drug Enforcement Division and as a state match for Federal Task Force Grants. Said funds may also be available for use as a state match for Federal Drug Grants

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
and other Federal Grants; and unused funds will remain part of the overall General Fund and will not be allotted to the Office of the Attorney General.				
15. AUDITOR, STATE:				
(a) Fiscal Management Program				811,565
SOURCE OF FUNDS:				
(1) State General Fund		811,565		
Total State Auditor		811,565		811,565
16. BANKING DEPARTMENT, STATE:				
(a) Charter, License and Regulate Financial Institutions Program				2,828,141
SOURCE OF FUNDS:				
(1) Banking Assessment Fees			2,522,441	
As provided in Section 5- 2A-20, <u>Code of Alabama</u> 1975.				
(2) Loan Examination Fund As provided in Section 5- 2A-24, Section 5-16-38.1, and Section 5-18-5, <u>Code</u> <u>of Alabama</u> 1975.			305,700	
Total State Banking Department			2,828,141	2,828,141
17. BAR ASSOCIATION, ALABAMA STATE:				
(a) Professional and Occupational Licensing and Regulation Program				1,321,875
SOURCE OF FUNDS:				
(1) State Bar Association Fund			1,186,220	
As provided in Section 34- 3-4 and Section 34-3-44, <u>Code of Alabama</u> 1975.				
(2) Local Funds, Estimated ... As provided in Sections 34- 3-44, 34-3-17 and 34-3-18, <u>Code of Alabama</u> 1975.			135,655	

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
Total Alabama State Bar Association			1,321,875	1,321,875
18.	BEAR CREEK DEVELOPMENT AUTHORITY:			
(a)	Water Resource Development Program			54,535
SOURCE OF FUNDS:				
(1)	State General Fund	54,535		
Total Bear Creek Develop- ment Authority		54,535		54,535
19.	BUILDING COMMISSION, STATE:			
(a)	Special Services Program			1,197,016
SOURCE OF FUNDS:				
(1)	State General Fund - Transfer	796,206		
(2)	Federal, Local and Miscel- laneous Funds		400,810	
Total State Building Commission		796,206	400,810	1,197,016
20.	CAHAWBA ADVISORY COMMITTEE:			
(a)	Historical Resources Manage- ment Program			9,550
SOURCE OF FUNDS:				
(1)	State General Fund	9,550		
Total Cahawba Advisory Committee		9,550		9,550
21.	CHILD ABUSE AND NEGLECT PREVENTION BOARD:			
(a)	Social Services Program			451,909
In accordance with Sections 26- 16-1 et seq., <u>Code of Alabama</u> <u>1975.</u>				
SOURCE OF FUNDS:				
(1)	State General Fund - Transfer	275,000		

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
	(2) Children's Trust Fund, Estimated		176,909	
	Total Child Abuse and Neglect Prevention Board	275,000	176,909	451,909
22.	CHIROPRACTIC EXAMINERS, ALABAMA STATE BOARD OF:			
	(a) Professional and Occupational Licensing and Regulation Program			75,750
	SOURCE OF FUNDS:			
	(1) Alabama State Board of Chiropractic Examiner's Fund		75,750	
	As provided in Section 34- 24-143, <u>Code of Alabama</u> <u>1975.</u>			
	Total Alabama State Board of Chiropractic Examiners		75,750	75,750
23.	CONSERVATION AND NATURAL RESOURCES, DEPARTMENT OF:			
	(a) State Land Management Program			760,000
	(b) Outdoor Recreation Sites and Services Program			25,761,700
	(c) Marine Police Program			3,309,946
	(d) Wildlife Game and Fish Program			12,835,500
	(e) Marine Resources Program Of the above appropriation, \$50,000 shall be used for the oyster planting program.			2,072,000
	(f) Land and Water Conservation Program			1,200,000
	(g) Administrative Services Program			2,648,399
	The appropriation to the De- partment of Conservation and Natural Resources shall in- clude Alabama's pro rata share of the Gulf States Marine Fisheries Commission opera- tion expenses. The appropria- tion to the Department of			

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
Conservation and Natural Resources includes funds for the maintenance, staff and repair of the Governor's official beach mansion.				
SOURCE OF FUNDS:				
(1) State General Fund - Transfer	2,561,700			
(2) Game and Fish Fund			12,835,500	
(3) State Lands Fund			760,000	
The funds hereinabove appropriated from the State Lands Fund includes funds for analyzing, cataloging and monitoring mineral reserves and the development thereof on State lands including water and offshore areas.				
(4) Marine Resources Fund In addition to the monies hereinabove appropriated from the Marine Resources Fund, all monies derived from contracts, grants or other agreements concerning or relating to marine biological research performed or accomplished at the Marine Resources Division Laboratory at Dauphin Island is hereby appropriated and may be expended by the Commissioner of Conservation on such Marine Resources Division programs or projects which he deems appropriate.			2,072,000	
(5) Marine Police Fund			3,309,946	
(6) State Parks Fund			300,000	
(7) Parks Revolving Fund ...			21,800,000	
(8) Administrative Funds			2,648,399	
The funds hereinabove appropriated shall be				

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
payable as provided in Section 9-2-1 et seq., Code of Alabama 1975.				
(9) Cigarette Tax			1,100,000	
(10) Federal Land and Water Fund			1,200,000	
Total Department of Conser- vation and Natural Resources		2,561,700	46,025,845	48,587,545
24. CONTRACTORS, STATE LICENSING BOARD FOR GENERAL:				
(a) Professional and Occupational Licensing and Regulation Program				401,122
SOURCE OF FUNDS:				
(1) State Licensing Board for General Contractors Fund			401,122	
Pursuant to Section 34-8- 25, Code of Alabama 1975. In addition to the amounts appropriated hereinabove to the State Licensing Board for General Con- tractors, there is hereby appropriated such an amount as may be neces- sary to pay the refund of any application for license which may have been re- jected by the Board or ap- plication withdrawn by request of applicant.				
Total State Licensing Board for General Contractors			401,122	401,122
25. CORRECTIONS, DEPARTMENT OF:				
(a) Administrative Services and Logistical Support Program ...				8,343,617
(b) Institutional Services Correc- tions Program				103,392,457
(c) Correctional Agricultural and Industries Program				19,949,300
The Department of Correc- tions shall not utilize any por- tion of its State General Fund				

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	Fund Sources Included In Appropriation Total		Appropriation Total
	General Fund	Trust Fund	
appropriation to support the Correctional Industries Program, for either the agribusiness element or the industries element.			
(d) Transfer to State General Fund from the Correctional Industries Revolving Fund			1,500,000

Notwithstanding any other law to the contrary and specifically including Section 5 of Act No. 87-715, it is further the intent of the Legislature that in accordance with Section 14-7-20 of the Code of Alabama, 1975, that this transfer be made.

SOURCE OF FUNDS:

- | | | |
|--|-------------|------------|
| (1) State General Fund - Transfer | 108,936,074 | |
| (2) Department of Corrections Fund | | 24,249,300 |

The above amount shall include \$1,500,000 to be transferred from the Correctional Industries Revolving Fund to the State General Fund. The Commissioner of the Department of Corrections is authorized to utilize funds herein appropriated as matching contributions, where required and appropriate, to generate additional funds which would effectively increase the appropriations for the Department of Corrections. Any such grant funds so generated and in direct support of the Department of Corrections' operations are also hereby appropriated.

Total Department of Corrections	108,936,074	24,249,300	133,185,374
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In addition to the above appropriation to the Department of

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
Corrections, there is hereby conditionally appropriated from the State General Fund \$2,800,000 for prisons at Clayton and Clio, to be conditioned upon the availability of funds in the State General Fund, the determination of a demonstrated need, recommendation by the Finance Director, and approval by the Governor.				
26.	COSMETOLOGY, ALABAMA BOARD OF:			
(a)	Professional and Occupational Licensing and Regulation Program			667,590
SOURCE OF FUNDS:				
(1)	Alabama Board of Cosmetology Fund		667,590	
	As provided in Section 34-7-42, <u>Code of Alabama 1975.</u>			
Total Alabama Board of Cosmetology			667,590	667,590
27.	COUNSELING, ALABAMA BOARD OF EXAMINERS IN:			
(a)	Professional and Occupational Licensing and Regulation Program			58,700
SOURCE OF FUNDS:				
(1)	Alabama Board of Examiners in Counseling Fund		58,700	
	As provided in Section 34-8A-6, <u>Code of Alabama 1975.</u>			
Total Alabama Board of Examiners in Counseling			58,700	58,700
28.	CREDIT UNION ADMINISTRATION, ALABAMA:			
(a)	Charter, License and Regulate Financial Institutions Program			400,700
SOURCE OF FUNDS:				
(1)	Alabama Credit Union Administration Fund		400,700	

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
As provided in Section 5-17-7, <u>Code of Alabama 1975.</u>				
Total Alabama Credit Union Administration			400,700	400,700
29.	CRIME VICTIMS COMPENSATION COMMISSION, ALABAMA:			
(a)	Special Services Program, Estimated			416,606
SOURCE OF FUNDS:				
(1)	Alabama Crime Victims Compensation Commis- sion Fund, Estimated		416,606	
To be expended in accord- ance with Sections 15-23- 1 et seq., <u>Code of Alabama 1975.</u>				
Total Alabama Crime Victims Compensation Commission			416,606	416,606
30.	CRIMINAL JUSTICE INFORMATION CENTER, ALABAMA:			
(a)	Criminal Justice Information Services Program			3,666,419
SOURCE OF FUNDS:				
(1)	State General Fund - Transfer	2,820,503		
(2)	Federal, Local, and Mis- cellaneous Funds		845,916	
Total Alabama Criminal Jus- tice Information Center		2,820,503	845,916	3,666,419
31.	DEVELOPMENT OFFICE, ALABAMA:			
(a)	Promotional Development Program-Alabama Film Commission			255,000
(b)	Administrative Services Pro- gram-Office of Minority Business			105,500
(c)	Industrial Development Pro- gram-Alabama Development Office			4,889,215

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
(d)	Alabama Reunion			300,000
	SOURCE OF FUNDS:			
	(1) State General Fund - Transfer - Alabama De- velopment Office	5,089,215		
	(2) State General Fund - Transfer - Office of Mi- nority Business	105,500		
	(3) State General Fund - Transfer - Alabama Film Commission	255,000		
	(4) Federal, Local and Miscel- laneous Funds		100,000	
	Total Alabama Development Office	5,449,715	100,000	5,549,715
32.	DISTRICT ATTORNEYS:			
	(a) Court Operations Program			12,272,926
	The proposed spending plan included in the above total is as follows:			
	Salaries of District Attorneys 2,328,356			
	Salary of elected Deputy Dis- trict Attorney of the Bessemer Division of the 10th Judicial Circuit 56,955			
	For the use of the elected As- sistant District Attorney of the Bessemer Division of the 10th Judicial Circuit 135,853			
	Salaries and expenses of Su- pernumerary District Attorneys 1,110,780			
	For use in the District Attor- ney's Office of the following Judicial Circuits:			
	1st Judicial Circuit 120,186			
	2nd Judicial Circuit 135,902			
	3rd Judicial Circuit 185,133			
	4th Judicial Circuit 416,609			
	5th Judicial Circuit 383,934			
	6th Judicial Circuit 297,195			
	7th Judicial Circuit 237,019			

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	Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
	General Fund	Trust Fund	
8th Judicial Circuit	180,284		
9th Judicial Circuit	160,593		
10th Judicial Circuit ...	450,472		
11th Judicial Circuit ...	129,487		
12th Judicial Circuit ...	276,489		
13th Judicial Circuit ...	492,114		
14th Judicial Circuit ...	158,443		
15th Judicial Circuit ...	421,074		
16th Judicial Circuit ...	259,190		
17th Judicial Circuit ...	133,970		
18th Judicial Circuit ...	285,907		
19th Judicial Circuit ...	196,099		
20th Judicial Circuit ...	203,277		
21st Judicial Circuit ...	153,622		
22nd Judicial Circuit ..	134,304		
23rd Judicial Circuit ...	336,251		
24th Judicial Circuit ...	127,428		
25th Judicial Circuit ...	121,918		
26th Judicial Circuit ...	213,874		
27th Judicial Circuit ...	169,264		
28th Judicial Circuit ...	259,411		
29th Judicial Circuit ...	229,835		
30th Judicial Circuit ...	218,883		
31st Judicial Circuit ...	125,133		
32nd Judicial Circuit ..	161,275		
33rd Judicial Circuit ...	158,966		
34th Judicial Circuit ...	110,355		
35th Judicial Circuit ...	105,337		
36th Judicial Circuit ...	106,950		
37th Judicial Circuit ...	213,561		
38th Judicial Circuit ...	161,593		
39th Judicial Circuit ...	138,204		
Travel Expenses of District Attorneys	75,000		
Investigators Subsistence-Sec- tion 36-21-2, <u>Code of Alabama</u> <u>1975</u>	196,441		

SOURCE OF FUNDS:

(1) State General Fund 12,272,926

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
Total District Attorneys		12,272,926		12,272,926
33.	ECONOMIC AND COMMUNITY AFFAIRS, ALABAMA DEPARTMENT OF:			
(a)	Administrative Support Serv- ices Program			4,460,955
(b)	Planning Program			37,395,474
	Of the above appropriation, \$2,000,000 shall be allocated for capital facilities to be used for scientific research conducted in the Birmingham area.			
(c)	Special Services Program			18,941,180
(d)	Skills Enhancement and Em- ployment Opportunities Program			62,766,488
	Of the above appropriation, \$300,000 shall be spent for the Regional Planning Commis- sions.			
(e)	Energy Management Program			14,918,242
(f)	Traffic Control and Accident Prevention Program			3,186,905
(g)	Law Enforcement Planning and Development Program			3,303,226
(h)	Surplus Property Program			1,310,000
SOURCE OF FUNDS:				
(1)	State General Fund - Transfer	9,497,979		
(2)	Federal, Local and Miscel- laneous Funds		131,493,354	
(3)	Administrative Transfers		3,981,137	
(4)	Administrative Transfers from Federal Donated Sur- plus Property Sales		700,000	
(5)	Administrative Transfers from State-Owned Surplus Property Sales		610,000	
Total Alabama Department of Economic and Community Affairs		9,497,979	136,784,491	146,282,470

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
34.	EDUCATION, DEPARTMENT OF:			
	(a) Direct Client Services for the Handicapped-Homebound Program			2,000,000
	(b) Projects-Vocational Rehabili- tation/Crippled Children Serv- ices Program-Eye Injury Register			30,000
	SOURCE OF FUNDS:			
	(1) State General Fund	2,030,000		
	Total Department of Education	2,030,000		2,030,000
35.	ELECTRICAL CONTRACTORS, BOARD OF:			
	(a) Professional and Occupational Licensing and Regulation Program			93,000
	SOURCE OF FUNDS:			
	(1) Electrical Contractors Board Fees		93,000	
	As provided in Section 34- 36-17, <u>Code of Alabama</u> <u>1975</u> .			
	Total Board of Electrical Contractors		93,000	93,000
36.	ELK RIVER DEVELOPMENT AGENCY:			
	(a) Water Resource Development Program			4,265
	SOURCE OF FUNDS:			
	(1) State General Fund	4,265		
	Total Elk River Development Agency	4,265		4,265
37.	EMERGENCY MANAGEMENT AGENCY:			
	(a) Readiness and Recovery Program			4,980,194
	(b) Transfer to County Emer- gency Management Agencies			350,000
	The above appropriation of \$350,000 is to be in addition to			

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
the regular allocations to county emergency management agen- cies.				
SOURCE OF FUNDS:				
(1) State General Fund - Transfer		1,066,148		
(2) Federal, Local and Miscel- laneous Funds			4,264,046	
Total Emergency Manage- ment Agency		1,066,148	4,264,046	5,330,194
38.	ENERGY BOARD, SOUTHERN STATES:			
(a) Discovery and Development of Mineral, Energy and Water Resources, Geological Re- search and Topographic Map- ping Program				21,171
SOURCE OF FUNDS:				
(1) State General Fund		21,171		
Total Southern States Energy Board		21,171		21,171
39.	ENGINEERS AND LAND SURVEYORS, STATE BOARD OF REGISTRATION FOR PROFESSIONAL:			
(a) Professional and Occupational Licensing and Regulation Program				397,100
SOURCE OF FUNDS:				
(1) Professional Engineers Fund			397,100	
As provided in Section 34- 11-36, <u>Code of Alabama</u> <u>1975.</u>				
Total State Board of Registra- tion for Professional Engineers and Land Surveyors			397,100	397,100
40.	ENVIRONMENTAL MANAGEMENT, DEPARTMENT OF:			
(a) Environmental Management Program				32,355,830
SOURCE OF FUNDS:				
(1) State General Fund - Transfer		4,995,110		

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	Fund Sources Included In Appropriation Total		Appropriation Total
	General Fund	Trust Fund	
(2) State General Fund - Transfer to Water Pollu- tion Control Authority	2,700,000		
(3) State General Fund - Transfer to Tire Recy- cling Center	100,000		
(4) Environmental Manage- ment Fees		2,128,350	
As provided in Section 22- 22A-11, <u>Code of Alabama</u> <u>1975.</u>			
(5) Federal, Local and Miscel- laneous Funds		8,532,370	
(6) Federal Match - Water Pollution Control Authority		13,500,000	
(7) Transfer from Under- ground Storage Tank Trust Fund - Act 88-378		400,000	
Total Department of Environ- mental Management	7,795,110	24,560,720	32,355,830
41. ETHICS COMMISSION, ALABAMA:			
(a) Regulation of Public Officials and Employees Program			307,679
SOURCE OF FUNDS:			
(1) State General Fund	307,679		
Total Alabama Ethics Commission	307,679		307,679
42. FARM CRISIS AND TRANSITION PROGRAM:			
(a) Agricultural and Development Services Program			100,000
SOURCE OF FUNDS:			
(1) State General Fund - Transfer	100,000		
Total Farm Crisis and Tran- sition Program	100,000		100,000

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
43.	FARMERS' MARKET AUTHORITY:			
(a)	Agricultural Development Services Program			268,256
	SOURCE OF FUNDS:			
(1)	State General Fund - Transfer for Administration	94,374		
(2)	Farmers' Market Author- ity Administration - Transfer from Capital Outlay Account		36,941	
(3)	Farmers' Market Author- ity Fund - Revenue and Capital Outlay Account		136,941	
	Total Farmers' Market Authority	94,374	173,882	268,256
44.	FINANCE, DEPARTMENT OF:			
(a)	Fiscal Management Program			3,701,538
(b)	Administrative Support Serv- ices Program			4,533,040
	SOURCE OF FUNDS:			
(1)	State General Fund	8,184,578		
(2)	Miscellaneous Funds		50,000	
	Total Department of Finance	8,184,578	50,000	8,234,578
45.	FINANCE, DEPARTMENT OF - AIR TRANSPORTATION:			
(a)	Administrative Support Serv- ices Program			1,892,270
	SOURCE OF FUNDS:			
(1)	State General Fund - Transfer	1,148,487		
(2)	Departmental Receipts Estimated		743,783	
	Total Department of Finance - Air Transportation	1,148,487	743,783	1,892,270
46.	FINANCE, DEPARTMENT OF - ALABAMA BUILDING AUTHORITY:			
(a)	Administrative Support Serv- ices Program			1,397,605
(b)	Asbestos Removal and Reno- vation, Estimated			3,075,559

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
SOURCE OF FUNDS:				
(1)	Alabama Building Authority Operating Fund		4,473,164	
Total Department of Finance - Alabama Building Authority ..			4,473,164	4,473,164
47. FINANCE, DEPARTMENT OF - ALABAMA BUILDING FINANCE AUTHORITY:				
(a)	Administrative Support Services Program, Estimated			1,047,021
SOURCE OF FUNDS:				
(1)	Alabama Building Finance Authority Operating Fund		1,047,021	
Total Department of Finance - Alabama Building Finance Authority			1,047,021	1,047,021
48. FINANCE, DEPARTMENT OF - CAPITOL COMPLEX MAINTENANCE AND REPAIR:				
(a)	Administrative Support Services Program, Estimated			2,642,641
SOURCE OF FUNDS:				
(1)	Capitol Complex Revolving Fund		2,642,641	
Total Department of Finance - Capitol Complex Maintenance and Repair			2,642,641	2,642,641
49. FINANCE, DEPARTMENT OF - DATA CENTER REVOLVING FUND:				
(a)	Administrative Support Services Program, Estimated			16,697,200
SOURCE OF FUNDS:				
(1)	Data Center Revolving Fund		16,697,200	
Total Department of Finance - Data Center Revolving Fund			16,697,200	16,697,200

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
50.	FINANCE, DEPARTMENT OF - STATE INSURANCE FUND:			
	(a) Administrative Support Serv- ices Program			749,696
	SOURCE OF FUNDS:			
	(1) State Insurance Fund - Admin.		749,696	
	As provided in Sections 41- 15-1 et seq., <u>Code of Ala- bama 1975.</u>			
	Total Department of Finance - State Insurance Fund		749,696	749,696
51.	FINANCE, DEPARTMENT OF - CENTRAL MAIL AND SUPPLY:			
	(a) Administrative Support Serv- ices Program, Estimated			5,586,954
	SOURCE OF FUNDS:			
	(1) Mail and Supply Revolv- ing Fund		5,586,954	
	Total Department of Finance - Central Mail and Supply		5,586,954	5,586,954
52.	FINANCE, DEPARTMENT OF - MOTOR POOL:			
	(a) Administrative Support Serv- ices Program, Estimated			1,794,828
	SOURCE OF FUNDS:			
	(1) Motor Pool Revolving Fund		1,794,828	
	Total Department of Finance - Motor Pool		1,794,828	1,794,828
53.	FINANCE, DEPARTMENT OF - PRINTING AND PUBLICATIONS:			
	(a) Administrative Support Serv- ices Program			4,542,084
	SOURCE OF FUNDS:			
	(1) Printing and Publications Revolving Fund		4,542,084	
	Total Department of Finance - Printing and Publications		4,542,084	4,542,084

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
54.	FINANCE, DEPARTMENT OF - DSMD SUPERCOMPUTER REVOLVING FUND:			
	(a) Administrative Support Serv- ices Program, Estimated			1,000,000
	The above appropriation is for the maintenance and opera- tion of the Supercomputer.			
	SOURCE OF FUNDS:			
	(1) Collections from state agencies and other entities		1,000,000	
	Total Department of Finance - DSMD Supercomputer Re- volving Fund		1,000,000	1,000,000
55.	FINANCE, DEPARTMENT OF - TELEPHONE REVOLVING FUND:			
	(a) Administrative Support Serv- ices Program			9,556,200
	SOURCE OF FUNDS:			
	(1) State General Fund - Transfer	2,312,000		
	(2) Telephone Revolving Fund, Est.		7,244,200	
	Total Department of Finance - Telephone Revolving Fund	2,312,000	7,244,200	9,556,200
56.	FOREIGN TRADE RELATIONS COMMISSION:			
	(a) Special Services Program			100,000
	SOURCE OF FUNDS:			
	(1) State General Fund	100,000		
	Total Foreign Trade Relations Commission	100,000		100,000
57.	FORENSIC SCIENCES, DEPARTMENT OF:			
	(a) Forensic Science Services Program			6,228,418
	SOURCE OF FUNDS:			
	(1) State General Fund	6,070,945		
	(2) Federal, Local and Miscel- laneous Funds		157,473	

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
Total Department of Forensic Sciences		6,070,945	157,473	6,228,418
58.	FORESTERS, ALABAMA STATE BOARD OF REGISTRATION FOR:			
(a)	Professional and Occupational Licensing and Regulation Program			24,500
	SOURCE OF FUNDS:			
(1)	Professional Foresters Fund		24,500	
	As provided in Section 34- 12-36, <u>Code of Alabama</u> 1975.			
Total Alabama State Board of Registration for Foresters			24,500	24,500
59.	FORESTRY COMMISSION, ALABAMA:			
(a)	Forest Resources Protection and Development Program			23,435,455
	SOURCE OF FUNDS:			
(1)	State General Fund - Transfer	12,428,016		
(2)	Federal and Local Funds		2,801,625	
(3)	Forestry Commission Fund		8,205,814	
	Of the above appropriation, \$2,668,000 shall be used for rural and com- munity fire protection.			
Total Alabama Forestry Commission		12,428,016	11,007,439	23,435,455
Of the above appropriation, \$200,000 shall be used for for- estry research, marketing, management and environmen- tal improvement grants.				
In addition to the above appro- priation to the Alabama For- estry Commission, there is hereby conditionally appropri- ated for capital outlay from the Alabama Forestry Commis- sion Fund the net proceeds				

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Fund Sources Included
In Appropriation Total

General Fund	Trust Fund	Appropriation <u>Total</u>
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from the sale of certain present property where the Birmingham District Headquarters is located in Jefferson County. The proceeds from said sale shall be covered into the Alabama Forestry Commission Fund. The above conditional appropriation shall be used to purchase land, building(s), and/or construction of building(s) in order to relocate the Birmingham District Headquarters. This conditional appropriation shall become absolute when said sale is concluded, recommended by the Finance Director and approved by the Governor.

60. FUNERAL SERVICE,
ALABAMA BOARD OF:

(a) Professional and Occupational Licensing and Regulation Program	128,000
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SOURCE OF FUNDS:

(1) Alabama Funeral Directors and Embalmers Fund	128,000
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As provided in Section 34-13-23, Code of Alabama
1975.

Total Alabama Board of Funeral Service	128,000	128,000
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61. GEOLOGICAL SURVEY:

(a) Discovery and Development of Mineral, Energy and Water Resources, Geological Research and Topographic Mapping Program	2,647,514
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SOURCE OF FUNDS:

(1) State General Fund	2,068,645	
(2) Federal, Local and Miscellaneous Funds	578,869	

Total Geological Survey	2,068,645	578,869	2,647,514
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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
62.	GORGAS MEMORIAL BOARD:			
	(a) Historical Resources Manage- ment Program			5,000
	SOURCE OF FUNDS:			
	(1) State General Fund	5,000		
	As provided in Section 41- 9-220, <u>Code of Alabama</u> 1975, and an additional amount.			
	Total Gorgas Memorial Board	5,000		5,000
63.	GOVERNOR'S CONTINGENCY FUND:			
	(a) Executive Direction Program			1,100,000
	SOURCE OF FUNDS:			
	(1) State General Fund	1,100,000		
	Total Governor's Contingency Fund	1,100,000		1,100,000
64.	GOVERNOR'S MANSION ADVISORY BOARD:			
	(a) Historical Resources Manage- ment Program			9,073
	(b) Capital Outlay			250,000
	SOURCE OF FUNDS:			
	(1) State General Fund - Transfer	259,073		
	Total Governor's Mansion Ad- visory Board	259,073		259,073
65.	GOVERNOR'S MANSION:			
	(a) Executive Direction Program			181,450
	SOURCE OF FUNDS:			
	(1) State General Fund	181,450		
	Total Governor's Mansion	181,450		181,450
66.	GOVERNOR'S OFFICE:			
	(a) Executive Direction Program			1,559,403
	SOURCE OF FUNDS:			
	(1) State General Fund	1,559,403		
	Total Governor's Office	1,559,403		1,559,403

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
67.	GOVERNOR'S OFFICE ON VOLUNTEERISM:			
	(a) Executive Direction Program			82,321
	SOURCE OF FUNDS:			
	(1) State General Fund - Transfer	82,321		
	Total Governor's Office on Volunteerism	82,321		82,321
68.	HEALTH, DEPARTMENT OF PUBLIC:			
	(a) Personal Health Improvement Program			71,468,578
	(b) Health Support Services Program			44,051,070
	Of the amount appropriated to support local health depart- ment services, \$4,020,000 shall be used to provide a minimum staff in each of the 67 counties, and the remaining shall be al- located to the counties on the basis of need and a match for- mula to be determined by the Department.			
	(c) Administrative Services Program			7,600,000
	SOURCE OF FUNDS:			
	(1) State General Fund	28,045,546		
	(2) Cigarette Tax-\$0.01 and \$0.02		4,000,000	
	As provided in Section 40-25-2 and Section 40- 25-23, <u>Code of Alabama</u> <u>1975.</u>			
	(3) Vital Statistics Fund		1,381,254	
	(4) Hospital Licensing Fund		235,000	
	(5) Emergency Medical Services Fund		50,000	
	As provided in Section 22-18-4, <u>Code of Ala-</u> <u>bama 1975.</u>			
	(6) Local Health Departments		20,880,748	
	(7) Nuclear Monitoring Fund		139,000	

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	Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
	General Fund	Trust Fund	
(8) Radiation Safety Fund ...		100,000	
(9) Miscellaneous Funds SOBRA Services Program		2,400,000	
(10) Miscellaneous Funds		8,800,000	
(11) Federal Funds		57,088,100	
Total Department of Public Health	28,045,546	95,074,102	123,119,648

Of the above appropriation to the Department of Public Health, at least \$2,000,000 shall be spent on perinatal projects. The Department of Public Health will reimburse to the Alabama Medicaid Agency the state match necessary to cover increased revenues for services as a result of fee increases. The Department of Public Health will be responsible to the Alabama Medicaid Agency for any disallowance of costs as a result of federal or state audit.

69. HEALTH PLANNING
AGENCY, STATE:

(a) Health Planning, Develop- ment and Regulation Program			654,797
SOURCE OF FUNDS:			
(1) State General Fund - Transfer	304,797		
(2) Certificate of Need Fees ...		300,000	
(3) Federal, Local and Miscel- laneous Funds		50,000	
Total State Health Planning Agency	304,797	350,000	654,797

70. HEARING AID DEALERS,
ALABAMA BOARD OF:

(a) Professional and Occupational Licensing and Regulation Program			40,000
SOURCE OF FUNDS:			
(1) State Board of Health - Hearing Aid Fund		40,000	

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Fund Sources Included In Appropriation Total			
General Fund		Trust Fund	Appropriation <u>Total</u>
As provided in Section 34-14-33, <u>Code of Alabama 1975.</u>			
Total Alabama Board of Hearing Aid Dealers		40,000	40,000
71. HEATING AND AIR CONDITIONING CONTRACTORS, BOARD OF:			
(a) Professional and Occupational Licensing and Regulation Program			133,301
SOURCE OF FUNDS:			
(1) Heating and Air Condi- tioning Contractors Fund		133,301	
Total Board of Heating and Air Conditioning Contractors		133,301	133,301
72. HERITAGE TRUST FUND, ALABAMA:			
(a) Fiscal Management Program			20,000
SOURCE OF FUNDS:			
(1) Heritage Trust Income		20,000	
Total Alabama Heritage Trust Fund		20,000	20,000
73. HIGHWAY DEPARTMENT:			
(a) Central Administration Program			10,706,273
(b) Division and District Supervi- sion Program			19,224,843
(c) Operations and Support Serv- ices Program			7,972,800
(d) Maintenance Program			131,438,043
(e) Non-Programmatic Programs			108,842,333
Proposed spending plan for the above (e) includes the follow- ing:			
Debt Service		107,285,685	
Equipment-Other than Automotive		1,556,648	

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
(f)	Construction-Federal Aid Program			335,208,070
	Proposed spending plan for the above (f) includes the follow- ing:			
	Federal Aid Matching	47,629,452		
	Non-Participating Work on Federal Projects	1,000,000		
	Federal Aid	286,578,618		
(g)	Construction-State Program ..			20,240,000
(h)	Operations-Land and Buildings			1,408,000
SOURCE OF FUNDS:				
(1)	State General Fund - Transfer	211,500		
(2)	Public Road and Bridge Fund		348,250,244	
(3)	Federal Aid		286,578,618	

There is hereby appropriated, for payment of the principal of and the interest on all bonds theretofore or hereafter issued for public highways and bridge purposes, or either, by the State of Alabama, Alabama Highway Authority, Alabama Federal Aid Highway Finance Authority, or Alabama Industrial Access Road and Bridge Corporation, a total of \$107,285,685 or so much as may be necessary for payment of said principal and interest at their respective maturities, of the revenues pledged for such payment. The Highway Director with the consent of the Governor and the Finance Director shall have the authority to transfer any appropriation

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Fund Sources Included
In Appropriation Total

General Fund	Trust Fund	Appropriation <u>Total</u>
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or any portion thereof between and among Subsections (a), (b), (c), (d), (e), (f), (g), (h), of this Section whenever such transfer shall be necessary to assure maximum utilization of Federal Matching Funds which shall become available. In the event that there shall not be sufficient funds available for payment of all appropriations hereinabove made, the following provisions shall be applicable. In the event of such insufficiency in respect of the said revenues accruing to the State Highway Department:

(1) the appropriations made for Debt Service in Subsection (e) hereof shall be paid in full, (2) the appropriations from the revenues accruing to the State Highway Department that are herein made for the purposes referred to in Subsections (a), (b), (c), (d), (e), (f), (g), (h) except for Debt Service, hereof shall be allocated among the purposes referred to in said Subsections in such order and with such priorities as the State Highway Director shall from time to time direct. The funds appropriated in Subsection (f) hereof, for the matching Federal Funds, shall not revert at the end of the fiscal year for which such appropriations are made, but shall remain available for the purpose for which such appropriation was made. In addition to all appropriations hereinabove made there is hereby appropriated to the State Highway Department all Federal Funds accruing thereto to be expended only for the

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	Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
	General Fund	Trust Fund	
purpose for which such funds are made available.			
Total Highway Department ...	211,500	634,828,862	635,040,362

In addition to the above appropriation to the Highway Department, there is hereby appropriated the sum of \$350,000 from any sources available to the Highway Department as the state match for additional federal mass transit funds, to purchase capital equipment (rolling stock) for the state mass transportation program, and for an insurance and/or self-insurance program.

74. HISTORIC BLAKELEY
AUTHORITY:

(a) Tourism and Travel Promotion Program		290,150
SOURCE OF FUNDS:		
(1) State General Fund	290,150	
Total Historic Blakeley Authority	290,150	290,150

75. HISTORIC CHATTAHOOCHEE
COMMISSION:

(a) Historical Resources Management Program		98,200
SOURCE OF FUNDS:		
(1) State General Fund	98,200	
Total Historic Chattahoochee Commission	98,200	98,200

76. HISTORICAL COMMISSION,
ALABAMA:

(a) Historical Resources Management Program		1,902,466
(b) Historical Resources Management Program-Capital Outlay		108,249

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	Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
	General Fund	Trust Fund	

SOURCE OF FUNDS:

(1) State General Fund -			
Transfer	1,076,814		
The State General Fund appropriation shall be distributed as follows:			
Historical Commission, Alabama	505,040		
Historical Commission, Alabama-La Grange	7,774		
Historical Commission, Alabama-Magnolia Grove	38,000		
Historical Commission, Alabama-Fort Morgan	180,000		
Historical Commission, Alabama-Fort Toulouse	110,294		
Historical Commission, Alabama-John T. Morgan House, Selma	11,460		
Historical Commission, Alabama-Cahaba	150,000		
Historical Commission, Alabama-Gaineswood	74,246		
(2) State General Fund - Transfer-Capital Outlay ..	108,249		
(3) Federal, Local and Miscellaneous Funds		825,652	
Total Alabama Historical Commission	1,185,063	825,652	2,010,715

As provided in Act No. 87-749, in addition to the amounts appropriated hereinabove to the Alabama Historical Commission, there is hereby appropriated the proceeds from the sale of 1945 legislative desks and chairs for the cost of reproduction furniture to be used in the restoration of the Alabama State Capitol.

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Fund Sources Included In Appropriation Total		Appropriation Total
General Fund	Trust Fund	

Of the above appropriation to the Alabama Historical Commission, \$50,000 shall be used for a museum that traces the history of coal mining.

77. HUMAN RESOURCES,
DEPARTMENT OF:

(a) Human Services Program 280,905,417

It is the intent of the Legislature that allotments be made to the County Departments of Human Resources in the amount of \$165,500 to fund, upon approval of the county department director, supplemental client services not otherwise provided for through existing programs of the Department of Human Resources. Allotments to the county departments based on the counties' populations according to the 1980 census are as follows: county populations greater than 50,000, \$3,500; county populations less than 50,000, \$2,000. It is also the intent of the Legislature that at least \$1,000,000 shall be expended for additional day care slots.

SOURCE OF FUNDS:

(1) State General Fund - Transfer	12,871,809
(2) State General Fund - Transfer Day Care Slots	1,500,000
(3) State General Fund - Transfer Group Homes	1,000,000
(4) Federal, Local and Mis- cellaneous Funds	185,874,156
(5) ABC Profits	1,070,000
(6) Whiskey Tax	21,100,000
(7) Beer Tax	8,100,000
(8) Pension Residue	14,000,000
(9) Sales Tax	1,322,000
(10) Franchise Tax	13,600,000

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
(11)	Child Support Collections		3,127,097	
(12)	Sales Tax for Food Stamps		11,090,355	
(13)	Cigarette Tax		4,375,000	
(14)	Contractor's Gross Re- ceipts Tax		1,875,000	
Total Department of Human Resources		15,371,809	265,533,608	280,905,417
78.	INDIAN AFFAIRS COMMISSION, ALABAMA:			
(a)	Social Services Program			152,560
	The above appropriation is to be expended in accordance with Sections 41-9-708 et seq., <u>Code of Alabama</u> 1975.			
	SOURCE OF FUNDS:			
(1)	State General Fund	152,560		
	Total Alabama Indian Affairs Commission	152,560		152,560
79.	INDUSTRIAL DEVELOPMENT AUTHORITY, STATE:			
(a)	Industrial Development Program			76,100
	SOURCE OF FUNDS:			
(1)	SIDA Application Fees Fund		76,100	
	Total State Industrial Devel- opment Authority		76,100	76,100
80.	INDUSTRIAL RELATIONS, DEPARTMENT OF:			
(a)	Employment Security Program			36,007,985
(b)	Industrial Safety and Accident Prevention Program			4,580,424
(c)	Administrative Services Program			8,511,943
(d)	Workmen's Compensation Program			581,861
	SOURCE OF FUNDS:			
(1)	State General Fund	1,159,337		

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
	(2) Federal, Local and Miscellaneous Funds		48,522,876	
	Total Department of Industrial Relations	1,159,337	48,522,876	49,682,213
81.	INSURANCE, DEPARTMENT OF:			
	(a) Regulatory Services Program			2,727,123
	SOURCE OF FUNDS:			
	(1) State General Fund	1,616,670		
	(2) Fire Marshal's Fund		136,844	
	As provided in Section 24-5-10, Code of Alabama 1975. Any balance in excess of \$50,000 at the end of the fiscal year shall be transferred to the State General Fund.			
	(3) Examination Revolving Fund		973,609	
	Total Department of Insurance	1,616,670	1,110,453	2,727,123
	Of the above appropriation, an amount not to exceed \$50,000 is hereby appropriated for advance newspaper publication of rate filings prior to any hearing or other determination by the Commissioner.			
82.	INSURANCE BOARD, STATE EMPLOYEES':			
	(a) Administrative Support Services Program			350,000
	SOURCE OF FUNDS:			
	(1) State Employees' Insurance Board Expense Fund		350,000	
	Total State Employees' Insurance Board		350,000	350,000
83.	INTERIOR DESIGNERS, ALABAMA STATE BOARD OF REGISTRATION FOR:			
	(a) Professional and Occupational Licensing and Regulation Program			5,700
	SOURCE OF FUNDS:			
	(1) Interior Designers Fund ...		5,700	

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
As provided in Section 34- 15A-7, <u>Code of Alabama</u> 1975.				
Total Alabama State Board of Registration for Interior Designers			5,700	5,700
<hr/>				
84. LABOR, DEPARTMENT OF:				
(a) Regulatory Services Program				354,802
SOURCE OF FUNDS:				
(1) State General Fund		304,802		
(2) Federal, Local and Miscel- laneous Funds			50,000	
Total Department of Labor		304,802	50,000	354,802
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85. LANDSCAPE ARCHITECTS, BOARD OF EXAMINERS OF:				
(a) Professional and Occupational Licensing and Regulation Program				18,525
SOURCE OF FUNDS:				
(1) Landscape Architect's Fund			18,525	
As provided in Section 34- 17-6, <u>Code of Alabama</u> 1975.				
Total Board of Examiners of Landscape Architects			18,525	18,525
<hr/>				
86. LIEUTENANT GOVERNOR, OFFICE OF THE:				
(a) Legislative Operations and Support Program				440,156
SOURCE OF FUNDS:				
(1) State General Fund		440,156		
Total Office of the Lieutenant Governor		440,156		440,156
<hr/>				
87. LIQUEFIED PETROLEUM GAS BOARD:				
(a) Regulatory Services Program				342,000
SOURCE OF FUNDS:				
(1) Liquefied Petroleum Gas Board Fund			342,000	

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
Total Liquefied Petroleum Gas Board			342,000	342,000
88. MANUFACTURED HOUSING COMMISSION, ALABAMA:				
(a) Regulatory Services Program				494,921
SOURCE OF FUNDS:				
(1) Alabama Manufactured Housing Commission Fund			494,921	
As provided in Section 24- 6-4, Code of Alabama 1975.				
Total Alabama Manufactured Housing Commission			494,921	494,921
89. MEDICAID AGENCY, ALABAMA:				
(a) Medical Assistance Through Medicaid Program				537,286,519
It is the intent of the Legisla- ture that of the above appro- priation, which includes \$22,489,144 for SOBRA, Med- icaid eligibility shall be ex- tended to include, to the fullest extent possible, pregnant women and children up to 1 year of age who have incomes at or below 100% of the federal poverty level. It is the further intent of the Legislature that the provisions of the state's SOBRA program will include raising to a minimum of 80% of the physician's reimburse- ment level the reimbursement for certified midwives for deliv- eries under Medicaid. Also, it is the intent of the Legislature that the state's SOBRA pro- gram provide for physician reimbursement for deliveries at minimum per patient which is above the national Medicaid average adjusted annually for global delivery fee and that such fee be reviewed periodically by the Alabama Medicaid Agency to insure the rate structure				

Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
General Fund	Trust Fund	

provides access for prenatal care. In addition, the Legislature intends that SOBRA provisions include reimbursement to pediatricians who attend a high-risk Medicaid covered delivery. The Legislature intends that SOBRA provisions in the State allow pregnant women, who are determined to be eligible for Medicaid through SOBRA, remain eligible throughout their pregnancy, that an assets test shall not be required in making a determination of eligibility for such program, and that all providers designated under Public Law 99-509 (SOBRA) may be certifiers of presumptive eligibility for Medicaid which will insure that the eligible State population have access for said services.

The Medicaid Agency will reimburse the Department of Public Health for actual costs (in compliance with OMB Circular A.87) for services provided.

SOURCE OF FUNDS:

(1) State General Fund - Transfer	108,676,779		
(2) State General Fund - Transfer - SOBRA	6,049,572		
(3) Transfer from Department of Human Resources		3,824,175	
(4) Transfer from Mental Health		19,050,250	
(5) Transfer from Commission on Aging		1,770,580	
(6) Federal, Local and Miscellaneous Funds		397,915,163	
Total Alabama Medicaid Agency	114,726,351	422,560,168	537,286,519

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
90.	MENTAL HEALTH AND MENTAL RETARDATION, DEPARTMENT OF:			
(a)	Institutional Treatment and Care-Mental Illness Program			84,547,098
(b)	Institutional Treatment and Care-Mental Retardation Program			65,484,013
(c)	Institutional Treatment and Care-Criminally Insane Program			5,518,354
(d)	Administrative Services Program			4,937,444
(e)	Community Services Program			60,527,300
(f)	Agency Administration Program			675,823
	SOURCE OF FUNDS:			
(1)	State General Fund - Transfer	58,724,627		
(2)	Special Mental Health Trust Fund		86,844,000	
	For Operations and Main- tenance of the State Men- tal Health and Mental Retardation Department and the Mental Health and Mental Retardation Com- munity Programs, includ- ing the purchase of drugs for medically indigent mental patients not hos- pitalized at time of receiv- ing drugs at the Alabama state hospitals.			
(3)	Transfer from ABC Profits		1,000,000	
(4)	Cigarette Tax		6,800,000	
(5)	Federal, Local and Miscel- laneous Funds		68,321,405	
	Total Department of Mental Health and Mental Retardation	58,724,627	162,965,405	221,690,032
	There is also hereby condition- ally appropriated \$3,000,000			

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	Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
	General Fund	Trust Fund	
from the Special Mental Health Trust Fund which shall be con- ditioned on the availability of funds and approval by the Governor.			

91. MILITARY DEPARTMENT:

(a) Military Operations Program	5,497,307
(b) Capital Outlay	920,000

SOURCE OF FUNDS:

(1) State General Fund - Operations	1,624,647	
(2) State General Fund - Quarterly Allowances Headquarters	1,500,000	
Regular Allowance Units to be used solely for oper- ating expenses; provided, that no more than \$4,500 shall be allotted in any fis- cal year for the Alabama National Guard Head- quarters.		
(3) State General Fund - Transfer-Capital Outlay for Architect and Engi- neering Services, Specifi- cations, Repair and Construction of Facilities	920,000	
The above appropriation shall include funding for the construction of two ar- mories and for asbestos re- moval at the Fort Whiting Armory.		
(4) State General Fund - Ac- tive Military Service	37,500	
(5) State General Fund - Transfer to Armory Commission	2,326,660	
(6) State General Fund - Dropping Allowance	4,500	
(7) State General Fund - State Defense Force	4,000	
Total Military Department	6,417,307	6,417,307

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
92.	MILITARY DEPARTMENT- ARMORY COMMISSION OF ALABAMA:			
(a)	Military Operations Program			4,426,425
	SOURCE OF FUNDS:			
(1)	Transfer from Military Department		2,326,660	
(2)	Federal, Local and Miscel- laneous Funds		2,099,765	
	The funds hereinabove appropriated to the Armory Commission shall be payable from the funds in the State Treasury to the credit of the Armory Commission and the appropriation hereinabove made includes the appropriation made for the care, maintenance, and construction of facilities; provided, however, that the last federal government service contract reimbursement shall not revert to the State General Fund, and any unobligated balance remaining thereof in the Armory Commission Fund at the end of the fiscal year in excess of \$50,000 shall be transferred to the State General Fund.			
	Total Armory Commission of Alabama		4,426,425	4,426,425
93.	MOTOR SPORTS HALL OF FAME:			
(a)	Tourism and Travel Promo- tion Program			68,044
	SOURCE OF FUNDS:			
(1)	State General Fund	68,044		
	Total Motor Sports Hall of Fame	68,044		68,044
94.	MUSIC HALL OF FAME, ALABAMA:			
(a)	Fine Arts Program			120,354

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
SOURCE OF FUNDS:				
(1) State General Fund	120,354			
Total Alabama Music Hall of Fame	120,354			120,354
95. NURSING, ALABAMA BOARD OF:				
(a) Professional and Occupational Licensing and Regulation Program				1,052,160
SOURCE OF FUNDS:				
(1) Alabama Board of Nursing Trust Fund - as provided in Code of Alabama 1975, as amended, Sections 34-21-1 through 34-21-43			1,052,160	
Total Alabama Board of Nursing			1,052,160	1,052,160
96. NURSING HOME ADMINISTRATORS, BOARD OF EXAMINERS OF:				
(a) Professional and Occupational Licensing and Regulation Program				48,000
SOURCE OF FUNDS:				
(1) Board of Examiners of Nursing Home Adminis- trators Fund			48,000	
As provided in Section 34- 20-7, Code of Alabama 1975.				
Total Board of Examiners of Nursing Home Administrators			48,000	48,000
97. OIL AND GAS BOARD:				
(a) Management and Regulation of Oil and Gas Exploration and Development Program				2,305,918
SOURCE OF FUNDS:				
(1) State General Fund	2,195,918			
(2) Oil and Gas Board Special Fund			100,000	

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
(3) Federal, Local and Miscellaneous Funds			10,000	
Total Oil and Gas Board		2,195,918	110,000	2,305,918
98. PARDONS AND PAROLES, BOARD OF:				
(a) Administration of Pardons and Paroles Program				11,812,792
SOURCE OF FUNDS:				
(1) State General Fund		8,797,072		
(2) Probationers Upkeep Fund			2,878,050	
In accordance with Section 15-22-2, <u>Code of Alabama 1975.</u>				
(3) Miscellaneous Funds			137,670	
Total Board of Pardons and Paroles		8,797,072	3,015,720	11,812,792
99. PEACE OFFICERS' ANNUITY AND BENEFIT FUND, ALABAMA:				
(a) Retirement Systems Program				266,990
SOURCE OF FUNDS:				
(1) Peace Officers' Annuity and Benefit Fund			266,990	
As provided in Section 36-21-66, <u>Code of Alabama 1975.</u>				
Total Alabama Peace Officers' Annuity and Benefit Fund			266,990	266,990
100. PERSONNEL DEPARTMENT, STATE:				
(a) Administrative Support Services Program				2,893,827
SOURCE OF FUNDS:				
Transfers to the State Personnel Department shall be as follows:				
(1) Board of Public Accountancy			287	
(2) Department of Aeronautics			479	

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	Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
	General Fund	Trust Fund	
(3) Commission on Aging		1,915	
(4) Department of Agriculture and Industries		44,290	
(5) Agricultural Center Board		1,819	
(6) Alcoholic Beverage Control Board		88,054	
(7) Board of Registration for Architects		144	
(8) Archives and History		4,644	
(9) State Council on the Arts		1,006	
(10) Attorney General's Office		13,646	
(11) State Auditor		2,059	
(12) State Banking Department		4,980	
(13) Building Commission		2,155	
(14) Child Abuse and Neglect Prevention Board		192	
(15) Chiropractic Examiners		96	
(16) Department of Conservation and Natural Resources		100,934	
(17) State Licensing Board for General Contractors		527	
(18) Department of Corrections		264,688	
(19) Board of Cosmetology		862	
(20) Credit Union Administration		527	
(21) Alabama Crime Victims Compensation Commission		622	
(22) Criminal Justice Information Center		6,033	
(23) Alabama Development Office		3,208	
(24) State Docks		46,541	
(25) Department of Economic and Community Affairs		29,878	
(26) Department of Education		128,322	

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	Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
	General Fund	Trust Fund	
(27) Electrical Contractors Board		48	
(28) Emergency Management Agency		3,687	
(29) Local Emergency Management		5,000	
(30) Board of Registration for Professional Engineers and Land Surveyors		431	
(31) Department of Environmental Management		22,265	
(32) Ethics Commission		575	
(33) Examiners of Public Accounts		20,110	
(34) Farmers' Market Authority		239	
(35) Finance Department		45,679	
(36) Finance-Alabama Building Authority		2,681	
(37) Finance-Alabama Building Finance Authority		1,819	
(38) Firefighters' Personnel Standards and Education Commission		383	
(39) Foreign Trade Relations Commission		144	
(40) Department of Forensic Sciences		10,869	
(41) Forestry Commission		39,742	
(42) Funeral Services		144	
(43) Governor's Office		3,112	
(44) Department of Public Health		209,960	
(45) State Health Planning Agency		1,484	
(46) Board of Heating and Air Conditioning Contractors		192	
(47) Highway Department		359,972	
(48) Alabama Historical Commission		5,794	
(49) Housing Finance Authority		239	

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
(50)	Department of Human Resources		373,953	
(51)	Alabama Indian Affairs Commission		144	
(52)	Department of Industrial Relations		162,318	
(53)	Insurance Department ...		5,315	
(54)	Judicial Inquiry Commission		48	
(55)	Department of Labor		766	
(56)	Legislative Reference Service		575	
(57)	Liquefied Petroleum Gas Board		622	
(58)	Manufactured Housing Commission		383	
(59)	Alabama Medicaid Agency		26,861	
(60)	Department of Mental Health and Mental Retardation		448,936	
(61)	Military Department		17,285	
(62)	Board of Nursing		1,580	
(63)	Board of Examiners of Nursing Home Administrators		48	
(64)	Oil and Gas Board		10,294	
(65)	Pardons and Paroles		26,718	
(66)	Peace Officers' Annuity and Benefit Fund		239	
(67)	Peace Officers' Standards and Training Commission		335	
(68)	Physical Fitness Commission		575	
(69)	Board of Physical Therapy		48	
(70)	Board of Polygraph Examiners		96	
(71)	Public Library Service ...		5,698	
(72)	Department of Public Safety		118,458	
(73)	Public Service Commission		13,119	

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
(74)	Alabama Educational Television Commission		7,757	
(75)	Real Estate Commission		1,484	
(76)	Retirement Systems		11,396	
(77)	Department of Revenue		113,000	
(78)	Secretary of State		2,442	
(79)	Securities Commission ...		2,011	
(80)	Board of Social Work Examiners		96	
(81)	Soil and Water Conservation		335	
(82)	Surface Mining Commission		4,788	
(83)	Bureau of Tourism and Travel		6,799	
(84)	State Treasurer		4,070	
(85)	Department of Veterans' Affairs		5,937	
(86)	Board of Veterinary Medical Examiners		96	
(87)	Department of Youth Services		36,725	
Total State Personnel Department			2,893,827	2,893,827
101. PHYSICAL THERAPY, BOARD OF:				
(a)	Professional and Occupational Licensing and Regulation Program			72,435
SOURCE OF FUNDS:				
(1)	Physical Therapist Fund		72,435	
	As provided in Section 34- 24-195, <u>Code of Alabama</u> 1975.			
Total Board of Physical Therapy			72,435	72,435
102. PLUMBERS AND GAS FITTERS EXAMINING BOARD, ALABAMA:				
(a)	Professional and Occupational Licensing and Regulation Program			249,480

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
SOURCE OF FUNDS:				
(1) Board of Plumbers and Gas Fitters Examiners Fund ...			249,480	
Total Alabama Plumbers and Gas Fitters Examining Board			249,480	249,480
103. POLYGRAPH EXAMINERS, BOARD OF:				
(a) Professional and Occupational Licensing and Regulation Program				30,000
SOURCE OF FUNDS:				
(1) Board of Polygraph Ex- aminers Fund			30,000	
As provided in Section 34- 25-5, <u>Code of Alabama</u> <u>1975.</u>				
Total Board of Polygraph Examiners			30,000	30,000
104. PROSECUTION SERVICES, OFFICE OF:				
(a) Prosecution, Training, Educa- tion and Management Program				1,289,226
SOURCE OF FUNDS:				
(1) State General Fund - Transfer		362,388		
(2) Office of Prosecution Serv- ices Fund			926,838	
Total Office of Prosecution Services		362,388	926,838	1,289,226
105. PSYCHOLOGY, ALABAMA BOARD OF EXAMINERS IN:				
(a) Professional and Occupational Licensing and Regulation Program				45,430
SOURCE OF FUNDS:				
(1) Board of Examiners in Psychology Fund			45,430	
As provided in Section 34- 26-43, <u>Code of Alabama</u> <u>1975.</u>				

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
Total Alabama Board of Ex- aminers in Psychology			45,430	45,430
106. PUBLIC SAFETY, DEPARTMENT OF:				
(a) Traffic Control and Accident Prevention Program				21,295,348
(b) Criminal Investigation Program				7,282,845
(c) Driver's Licensing and Im- provement Program				9,738,662
(d) Public Safety Support Services Program				5,661,909
(e) Administrative Services Program				3,271,844
(f) Alabama Criminal Justice Training Center Program				1,201,787
SOURCE OF FUNDS:				
(1) State General Fund	46,452,395			
(2) Transfer from ABC Profits			2,000,000	
Total Department of Public Safety	46,452,395		2,000,000	48,452,395
107. PUBLIC SERVICE COMMISSION:				
(a) Regulatory Services Program				5,449,101
(b) Administrative Services Program				1,934,605
SOURCE OF FUNDS:				
(1) Public Service Commis- sion Fund			6,765,706	
Any other provision of the law to the contrary not- withstanding, the appro- priation above for the Administrative Services Program shall include a transfer of \$92,471 to the State General Fund. The above appropriation to the Alabama Public Service Commission shall be pay- able only from inspection and supervision fees paid by utilities and transpor- tation companies and such				

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
parts or percentages of fees and taxes paid by motor carrier or motor transportation companies as are now or may be set aside by law to be used by the Commission. Any surplus remaining in the Alabama Public Service Commission Fund at the end of the fiscal year in excess of \$600,000 shall be transferred to the State General Fund.				
(2) Gas Pipeline Safety Fund			386,000	
(3) Federal and Miscellaneous Funds			232,000	
Total Public Service Commission			7,383,706	7,383,706
108. REAL ESTATE COMMISSION, ALABAMA:				
(a) Professional and Occupational Licensing and Regulation Program				1,129,034
SOURCE OF FUNDS:				
(1) Alabama Real Estate Commission Fund			1,129,034	
As provided in Section 34-27-4, <u>Code of Alabama 1975</u> and the total expenditures shall in no manner exceed the amounts hereby appropriated.				
Total Alabama Real Estate Commission			1,129,034	1,129,034
109. REVENUE, DEPARTMENT OF:				
(a) State Revenue Administration Program				49,671,147
SOURCE OF FUNDS:				
(1) State General Fund - Transfer		250,000		
As provided in Section 40-7-70, <u>Code of Alabama 1975</u> , to maintain				

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	Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
	General Fund	Trust Fund	
a program for the equal- ization of ad valorem tax assessments.			
(2) State General Fund - Board of Equalization ...	124,442		
(3) Ad Valorem Equalization Fund		220,115	
(4) Transfer from the gross proceeds of Cigarette Tax Collections		888,224	
As provided in Section 40-25-27, <u>Code of Ala- bama 1975.</u>			
(5) Transfer from the gross proceeds of Financial In- stitution Excise Tax Collections		230,198	
(6) Transfer from the pro- ceeds of the Forest Sev- erance Tax Collections ...		84,784	
(7) Transfer from the gross proceeds of Gasoline Tax Collections		4,030,552	
(8) Transfer from the In- come Tax Collections		13,678,883	
(9) Transfer from the gross proceeds of Motor Fuel Tax Collections		840,032	
(10) Transfer from the gross proceeds of Motor Vehi- cle License Collections ...		1,821,412	
(11) Transfer from the Pen- sion Fund as part of the cost of collections of the 1-Mill Ad Valorem Tax		557,337	
(12) Transfer from the Public School Fund as part of the cost of collections of the 3-Mill Ad Valorem Tax		1,373,134	
(13) Transfer from the gross proceeds of Sales Tax Collections		12,067,459	
(14) Transfer from the gross proceeds of the Tobacco Tax Collections		36,353	
(15) Transfer from the gross proceeds of Use Tax Collections		1,320,637	

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	Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
	General Fund	Trust Fund	
(16) Transfer from the gross proceeds of the Utility Tax Collections		2,932,060	
(17) Local Funds		6,000,442	
(18) Transfer from the gross proceeds of Motor Vehi- cle License Collections for the purchase only of Mo- tor Vehicle License Tags		2,365,083	
(19) Inspection fees for re- stored vehicles		750,000	
As provided in Section 32-8-87, <u>Code of Ala- bama 1975.</u>			
(20) Revenue Administration Fund - Transfer from Abandoned Property Trust Fund as provided in Section 35-12-39, <u>Code of Alabama 1975</u>		100,000	
<p>The amounts herein- above appropriated for the cost of maintenance and operations of the De- partment of Revenue are in lieu of any other stat- utory provisions for the payment of the cost of operating said Depart- ment or collections of the taxes as authorized by law. Provided, however, in addition to the amount hereinabove appropri- ated, there is hereby ap- propriated to the Department of Revenue all sums allowed the De- partment of Revenue by local Acts of the Legisla- ture as a charge for the collection of taxes or li- censes.</p>			
Total Department of Revenue	374,442	49,296,705	49,671,147

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
110.	SECRETARY OF STATE:			
(a)	Administrative Support Services Program			1,275,627
	SOURCE OF FUNDS:			
(1)	State General Fund	896,627		
(2)	UCC and Farm Indexing Fund		379,000	
	Total Secretary of State	896,627	379,000	1,275,627
111.	SECURITIES COMMISSION:			
(a)	Regulatory Services Program			967,228
	SOURCE OF FUNDS:			
(1)	State General Fund	619,489		
(2)	Industrial Revenue Bond Notification Fund		220,190	
(3)	Sale of Checks License Fund		7,781	
(4)	Exemption Fund		119,768	
	Total Securities Commission	619,489	347,739	967,228
112.	SENIOR CITIZENS HALL OF FAME, ALABAMA:			
(a)	Historical Resources Management Program			22,681
	To be expended in accordance with Section 41-9-740 et seq., Code of Alabama 1975.			
	SOURCE OF FUNDS:			
(1)	State General Fund	22,681		
	Total Alabama Senior Citizens Hall of Fame	22,681		22,681
113.	SOCIAL WORK EXAMINERS, ALABAMA STATE BOARD OF:			
(a)	Professional and Occupational Licensing and Regulation Program			61,888
	SOURCE OF FUNDS:			
(1)	Alabama State Board of Social Work Examiners Fund		61,888	
	As provided in Section 34-30-6, Code of Alabama 1975.			

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Fund Sources Included In Appropriation Total			
	General Fund	Trust Fund	Appropriation Total
Total Alabama State Board of Social Work Examiners		61,888	61,888
114. SOIL AND WATER CONSERVATION COMMITTEE, STATE:			
(a) Water Resource Development Program			1,208,381
(b) Professional and Occupational Licensing and Regulation Program			4,000
SOURCE OF FUNDS:			
(1) State General Fund	1,178,381		
(2) Soil Classifiers Fund		4,000	
As provided in Section 34- 32-19, <u>Code of Alabama</u> 1975.			
(3) Transfer from Agricultural and Conservation Develop- ment Commission		30,000	
Total State Soil and Water Conservation Committee	1,178,381	34,000	1,212,381
115. SOUTHERN GROWTH POLICIES BOARD:			
(a) Special Services Program			27,830
SOURCE OF FUNDS:			
(1) State General Fund	27,830		
Total Southern Growth Poli- cies Board	27,830		27,830
116. SPACE SCIENCE EXHIBIT COMMISSION, ALABAMA:			
(a) Tourism and Travel Promo- tion Program			200,000
SOURCE OF FUNDS:			
(1) State General Fund	200,000		
Total Space Science Exhibit Commission	200,000		200,000

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
117.	SPEECH PATHOLOGY AND AUDIOLOGY, ALABAMA BOARD OF EXAMINERS FOR:			
(a)	Professional and Occupational Licensing and Regulation Program			28,270
	SOURCE OF FUNDS:			
(1)	Alabama Board of Exam- iners for Speech Pathology and Audiology Fund		28,270	
	As provided in Section 34- 28A-44, <u>Code of Alabama</u> 1975.			
	Total Alabama Board of Ex- aminers for Speech Pathology and Audiology		28,270	28,270
118.	SPORTS HALL OF FAME, ALABAMA:			
(a)	Historical Resources Manage- ment Program			140,000
(b)	Capital Outlay			350,000
	The above appropriation for capital outlay shall be a one- time appropriation.			
	SOURCE OF FUNDS:			
(1)	State General Fund	490,000		
	Total Alabama Sports Hall of Fame	490,000		490,000
119.	SURFACE MINING COMMISSION, ALABAMA:			
(a)	Industrial Safety and Accident Prevention Program			5,164,079
	SOURCE OF FUNDS:			
(1)	State General Fund - Transfer	375,000		
(2)	Surface Mining Commis- sion Fund		4,789,079	
	As provided by Section 9- 16-103, <u>Code of Alabama</u> 1975. All fees and charges, grants, gifts, fines, bond forfeitures or other monies received under the above			

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
act, in addition to the ap- propriation herein made, are appropriated to the Surface Mining Commis- sion.				
Total Alabama Surface Min- ing Commission		375,000	4,789,079	5,164,079
120. TANNEHILL FURNACE AND FOUNDRY COMMISSION:				
(a) Historical Resources Manage- ment Program				296,392
SOURCE OF FUNDS:				
(1) State General Fund		296,392		
Total Tannehill Furnace and Foundry Commission		296,392		296,392
121. TENNESSEE-TOMBIGBEE WATERWAY DEVELOPMENT AUTHORITY:				
(a) Water Resource Development Program				101,000
SOURCE OF FUNDS:				
(1) State General Fund		101,000		
Total Tennessee-Tombigbee Waterway Development Authority		101,000		101,000
122. TENNESSEE VALLEY EXHIBIT COMMISSION OF ALABAMA:				
(a) Promotional Development Program				372,241
To be expended in accordance with Sections 41-9-780 et seq., <u>Code of Alabama 1975.</u>				
SOURCE OF FUNDS:				
(1) State General Fund - Transfer		70,766		
(2) Federal, Local and Miscel- laneous Funds			301,475	
Total Tennessee Valley Ex- hibit Commission of Alabama		70,766	301,475	372,241

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
123. TOURISM AND TRAVEL, BUREAU OF:				
(a) Tourism and Travel Promo- tion Program				5,301,999
SOURCE OF FUNDS:				
(1) State General Fund - Transfer	1,711,638			
The above appropriation shall include \$300,000 for the Alabama Reunion and \$100,000 for the Overlook Tourist Center.				
(2) Lodgings Tax (\$0.01)			3,590,361	
Receipts collected under the provisions of Section 40-26-1 et seq., <u>Code of</u> <u>Alabama 1975.</u>				
Total Bureau of Tourism and Travel	1,711,638	3,590,361		5,301,999
124. TREASURER, STATE:				
(a) Fiscal Management Program				1,650,680
SOURCE OF FUNDS:				
(1) State General Fund	1,650,680			
Total State Treasurer	1,650,680			1,650,680
125. UNIFORM STATE LAWS, ALABAMA COMMISSION ON:				
(a) Special Services Program, Estimated				6,500
SOURCE OF FUNDS:				
(1) State General Fund	6,500			
As provided in Section 41- 9-374, <u>Code of Alabama</u> <u>1975.</u>				
Total Alabama Commission on Uniform State Laws	6,500			6,500
126. VETERANS' AFFAIRS, DEPARTMENT OF:				
(a) Administration of Veterans' Affairs Program				2,860,397
SOURCE OF FUNDS:				
(1) State General Fund	2,860,397			

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
Total Department of Veterans' Affairs		2,860,397		2,860,397
127. VETERINARY MEDICAL EXAMINERS, ALABAMA STATE BOARD OF:				
(a) Professional and Occupational Licensing and Regulation Program				145,000
SOURCE OF FUNDS:				
(1) State Board of Veterinary Medical Examiners Fund			145,000	
As provided in Section 34- 29-23 and Section 34-29- 41, Code of Alabama 1975.				
Total Alabama State Board of Veterinary Medical Examiners			145,000	145,000
128. WOMEN'S COMMISSION, ALABAMA:				
(a) Employment and Social Op- portunities Program				9,980
SOURCE OF FUNDS:				
(1) State General Fund		9,980		
Total Alabama Women's Commission		9,980		9,980
129. WOMEN'S HALL OF FAME, ALABAMA:				
(a) Historical Resources Manage- ment Program				5,444
SOURCE OF FUNDS:				
(1) State General Fund		5,444		
Total Alabama Women's Hall of Fame		5,444		5,444
130. YOUTH SERVICES, DEPARTMENT OF:				
(a) Youth Services Program				617,977
The above appropriation shall be expended in accordance with the provisions of Sections 44- 1-1 through 44-1-56, Code of Alabama 1975.				

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
(b)	Juvenile Probation Officers Subsidy			2,586,000
	SOURCE OF FUNDS:			
(1)	State General Fund - Youth Services Program	617,977		
(2)	State General Fund - Ju- venile Probation Officers Subsidy	2,586,000		
	Total Department of Youth Services	3,203,977		3,203,977
131.	SPECIAL INDUSTRIAL JOB TRAINING:			
(a)	Industrial Training Program ..			1,550,000
	This appropriation shall be ad- ministered by the Alabama In- dustrial Development Training Institute (AIDT) to provide training, and/or training assis- tance. Of the above appropri- ation, \$500,000 shall be used for Boeing Space Laboratory, Huntsville; \$350,000 shall be used for the Alabama Center for Quality and Productivity; \$100,000 for Partek, Phenix City; \$500,000 shall be used for the U.S. Air Force Standards Systems Center, Montgomery; and \$100,000 shall be used for Uniroyal Goodrich Job Train- ing.			
	SOURCE OF FUNDS:			
(1)	State General Fund	1,550,000		
	Total Special Industrial Job Training	1,550,000		1,550,000
132.	MEN'S HALL OF FAME, ALABAMA:			
(a)	Historical Resources Manage- ment Program			5,000
	SOURCE OF FUNDS:			
(1)	State General Fund	5,000		
	Total Alabama Men's Hall of Fame	5,000		5,000

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
2D. OTHER FUNCTIONS OF GOVERNMENT FUNDED FROM THE STATE GENERAL FUND:				
1. ADVERTISING LANDS FOR TAX SALE:				
(a)	State Revenue Administration Program, Estimated			115,000
SOURCE OF FUNDS:				
(1)	State General Fund	115,000		
	As provided in Section 40- 10-22, <u>Code of Alabama</u> 1975.			
	Total Advertising Lands for Tax Sale	115,000		115,000
2. ARREST OF ABSCONDING FELONS:				
(a)	Criminal Investigation Pro- gram, Estimated			65,000
SOURCE OF FUNDS:				
(1)	State General Fund	65,000		
	As provided in Section 15- 9-3, <u>Code of Alabama</u> 1975.			
	Total Arrest of Absconding Felons	65,000		65,000
3. ATTORNEYS' FEES FOR REAPPORTIONMENT CASES:				
(a)	Legal Advice and Legal Ser- vices Program, Estimated			150,000
SOURCE OF FUNDS:				
(1)	State General Fund	150,000		
	Total Attorneys' Fees for Re- apportionment Cases	150,000		150,000
4. AUTOMATIC APPEAL EXPENSE:				
(a)	Legal Advice and Legal Ser- vices Program, Estimated			100
SOURCE OF FUNDS:				
(1)	State General Fund	100		
	As provided in Section 12- 22-150 and Section 12-22- 241, <u>Code of Alabama</u> 1975.			

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
Total Automatic Appeal Expense		100		100
5.	CIVIL COURT COSTS IN CONNECTION WITH AD VALOREM TAX ASSESSMENTS APPEALS:			
(a)	State Revenue Administration Program, Estimated			200
	SOURCE OF FUNDS:			
(1)	State General Fund	200		
	As provided in Section 40- 7-45, <u>Code of Alabama</u> <u>1975.</u>			
Total Civil Court Costs in Connection with Ad Valorem Tax Assessments Appeals		200		200
6.	CONSUMER UTILITY RATE HEARING:			
(a)	Executive Direction Program			250,000
	SOURCE OF FUNDS:			
(1)	State General Fund - Transfer	250,000		
	As provided in Section 37- 1-18 <u>Code of Alabama</u> <u>1975.</u>			
Total Consumer Utility Rate Hearing		250,000		250,000
7.	COURT RELATED COSTS NOT OTHERWISE PROVIDED FOR:			
(a)	Court-Assessed Cost Provided in <u>Code of Alabama 1975, Sec-</u> <u>tions 22-52-14, 30-4-95, 26-17-</u> <u>17 and Acts 87-574 and 88-538,</u> Estimated			500,000
(b)	Legal Advice and Legal Serv- ices Program			500,000
It is the intent of the Legisla- ture that the appropriation in this subsection be expended for Court Costs to include costs of depositions, witness fees and expenses, filing and docket fees,				

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Fund Sources Included In Appropriation Total			
General Fund	Trust Fund	Appropriation Total	
court reporters, court judgments, attorneys fees, out-of-court settlements, and other expenses ordered by the court or normally identified as costs of court, when any of the above is approved by the Attorney General.			
SOURCE OF FUNDS:			
(1) State General Fund, Estimated	500,000		
(2) State General Fund	500,000		
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Total Court Costs Not Other- wise Provided For	1,000,000	1,000,000	
<hr/>			
8. COURT COSTS-ACT NO. 558, 1957:			
(a) Court Operations Program, Estimated		500	
SOURCE OF FUNDS:			
(1) State General Fund	500		
Pursuant to Act No. 558, 1957, page 777.			
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Total Court Costs-Act No. 558, 1957	500	500	
<hr/>			
9. DISTRIBUTION OF PUBLIC DOCUMENTS:			
(a) Administrative Support Ser- vices Program, Estimated		80,000	
SOURCE OF FUNDS:			
(1) State General Fund	80,000		
As provided in Sections 41- 21-8, 36-14-1, and 36-14- 11, Code of Alabama 1975.			
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Total Distribution of Public Documents	80,000	80,000	
<hr/>			
10. STATE DOCKS TRANSFER			
3,500,000			
SOURCE OF FUNDS:			
(1) State General Fund - Transfer	3,500,000		
The above appropriation to the State Docks shall be conditional upon the			

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	Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
	General Fund	Trust Fund	
availability of funds and shall remain in the State General Fund until a demonstrated need is determined and recommended by the Finance Director and approved by the Governor.			

Total State Docks Transfer	3,500,000	3,500,000
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11. ELECTION EXPENSES:

(a) Special Services Program, Estimated	935,000
(b) Training of Election Officials, Estimated	65,000

For payment of expenses pursuant to the court order entered by the U.S. District Court, Middle District of Alabama in Civil Action No. 84-T-595-N.

SOURCE OF FUNDS:

(1) State General Fund	1,000,000
As provided in Section 17-4-153, <u>Code of Alabama 1975</u> .	

Total Election Expenses	1,000,000	1,000,000
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12. EMERGENCY FUND,
DEPARTMENTAL:

(a) Special Services Program	1,500,000
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SOURCE OF FUNDS:

(1) State General Fund	1,500,000
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This is the appropriation contemplated in Section 41-4-94, Code of Alabama 1975, and shall be the only amount appropriated and the total amount expended under the provisions of said section. This appropriation shall be expended solely for the purpose of addressing a financial emergency within a state department, board, commission, bureau, office, or

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
agency. None of the above appropriation shall be transferred to the Governor's contingency fund.				
Total Departmental Emergency Fund		1,500,000		1,500,000
13.	FAIR TRIAL TAX TRANSFER:			
(a)	Court Operations Program, Estimated			200,000
SOURCE OF FUNDS:				
(1)	State General Fund - Transfer	200,000		
Total Fair Trial Tax		200,000		200,000
14.	FEEDING OF PRISONERS:			
(a)	Institutional Services - Corrections Program, Estimated			3,000,000
SOURCE OF FUNDS:				
(1)	State General Fund	3,000,000		
For expenses of feeding prisoners in county jails in accordance with Section 14-6-42, <u>Code of Alabama 1975</u> .				
Total Feeding of Prisoners		3,000,000		3,000,000
15.	DEPARTMENT OF FINANCE-CAPITAL OUTLAY:			
(a)	Administrative Support Services Program			385,000
SOURCE OF FUNDS:				
(1)	State General Fund - Capital Outlay	385,000		
Total Department of Finance - Capital Outlay		385,000		385,000
The above appropriation to the Department of Finance-Capital Outlay for the regrading and reconstruction of the parking lot located between the Alabama State House and the Folsom Administrative Building shall be conditional upon the availability of funds in the State General Fund, recommenda-				

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
	tion by the Finance Director and approval of the Governor.			
16.	DEPARTMENT OF FINANCE- CAPITOL RENOVATION:			
(a)	Special Services Program, Estimated			1,990,000
	SOURCE OF FUNDS:			
(1)	State General Fund - Cap- ital Outlay, Estimated	1,990,000		
	Total Department of Finance- Capitol Renovation	1,990,000		1,990,000
17.	DEPARTMENT OF FINANCE- EMPLOYEES' SUGGESTION AWARDS PROGRAM:			
(a)	Fiscal Management Program			10,000
	SOURCE OF FUNDS:			
(1)	State General Fund	10,000		
	In accordance with Sec- tion 36-1-7, <u>Code of Ala-</u> <u>bama 1975.</u>			
	Total Department of Finance- Employees' Suggestion Awards Program	10,000		10,000
18.	DEPARTMENT OF FINANCE- FEMA:			
(a)	Readiness and Recovery Pro- gram, Estimated			1,100,000
	Payments of the State's share of administrative costs and matching grants furnished by the Federal Emergency Man- agement Agency.			
	SOURCE OF FUNDS:			
(1)	State General Fund	1,100,000		
	Total Department of Finance- FEMA	1,100,000		1,100,000
19.	FOREST FIRE FUND, EMERGENCY:			
(a)	Forest Resources Protection and Development Program			180,000
	SOURCE OF FUNDS:			
(1)	State General Fund - Transfer	180,000		

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
As provided by Section 9-3-10.1, <u>Code of Alabama</u> 1975.				
Total Emergency Forest Fire Fund		180,000		180,000
20.	GOVERNOR'S CONFERENCE, NATIONAL:			
(a)	Executive Direction Program, Estimated			135,760
SOURCE OF FUNDS:				
(1)	State General Fund	135,760		
Total National Governor's Conference		135,760		135,760
21.	GOVERNOR'S COUNCILLOR:			
(a)	Executive Direction Program, Estimated			26,000
SOURCE OF FUNDS:				
(1)	State General Fund	26,000		
As provided in Section 36-13-13, <u>Code of Alabama</u> 1975.				
Total Governor's Councillor ...		26,000		26,000
22.	GOVERNOR'S PROCLAMATION EXPENSES:			
(a)	Executive Direction Program, Estimated			200,000
SOURCE OF FUNDS:				
(1)	State General Fund	200,000		
As provided in Section 17-14-21, <u>Code of Alabama</u> 1975.				
Total Governor's Proclamation Expenses		200,000		200,000
23.	GOVERNOR'S WIDOWS RETIREMENT:			
(a)	Executive Direction Program, Estimated			28,800
SOURCE OF FUNDS:				
(1)	State General Fund	28,800		

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
As provided in Section 36-13-12, <u>Code of Alabama 1975.</u>				
Total Governor's Widows Retirement		28,800		28,800
<hr/>				
24. INTERPRETER'S ACCOUNT:				
(a) Court Operations Program, Estimated				2,500
SOURCE OF FUNDS:				
(1) State General Fund		2,500		
As provided in Sections 12-21-131 et seq., <u>Code of Alabama 1975.</u>				
Total Interpreter's Account		2,500		2,500
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25. LAW ENFORCEMENT FUND:				
(a) Criminal Investigation Program, Estimated				2,500
SOURCE OF FUNDS:				
(1) State General Fund - Transfer		2,500		
As provided in Section 28-4-312, <u>Code of Alabama 1975.</u>				
Total Law Enforcement Fund		2,500		2,500
<hr/>				
26. LAW ENFORCEMENT LEGAL DEFENSE:				
(a) Legal Advice and Legal Services Program, Estimated				3,000
SOURCE OF FUNDS:				
(1) State General Fund		3,000		
To carry out provisions of Section 36-21-1, <u>Code of Alabama 1975.</u>				
Total Law Enforcement Legal Defense		3,000		3,000
<hr/>				
27. LIABILITY INSURANCE FUND, STATE				
				1,000,000
SOURCE OF FUNDS:				
(1) State General Fund - Transfer		1,000,000		

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
As provided in Section 36-1-6.1, <u>Code of Alabama 1975.</u>				
Total State Liability Insurance Fund		1,000,000		1,000,000
Of the above appropriation \$40,000 is hereby appropriated to the Liability Insurance Board for administrative expenses.				
28. MAILING TAX NOTICES:				
(a) State Revenue Administration Program, Estimated				100
SOURCE OF FUNDS:				
(1) State General Fund		100		
As provided in Section 40-7-25, <u>Code of Alabama 1975.</u>				
Total Mailing Tax Notices		100		100
29. MILITARY - EMERGENCY ACTIVE DUTY PAY:				
(a) Military Operations Program, Estimated				200,000
SOURCE OF FUNDS:				
(1) State General Fund		200,000		
As provided in Section 31-2-85, <u>Code of Alabama 1975.</u>				
Total Military - Emergency Active Duty Pay		200,000		200,000
30. POLICEMAN'S SURVIVOR TUITION ACT:				
(a) Support of Other Educational Activities Program, Estimated				15,000
SOURCE OF FUNDS:				
(1) State General Fund		15,000		
As provided in Sections 36-21-95 through 36-21-99, <u>Code of Alabama 1975.</u>				
Total Policeman's Survivor Tuition Act		15,000		15,000

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
31.	PRESIDENTIAL ELECTORAL EXPENSE:			
	(a) Administrative Support Serv- ices Program, Estimated			2,000
	SOURCE OF FUNDS:			
	(1) State General Fund	2,000		
	As provided in Section 17- 19-8, <u>Code of Alabama</u> <u>1975.</u>			
	Total Presidential Electoral Expense	2,000		2,000
32.	PRINTING OF CODE SUPPLEMENTS - LEGISLATIVE REFERENCE SERVICE:			
	(a) Legislative Operations and Support Program, Estimated			500,000
	SOURCE OF FUNDS:			
	(1) State General Fund	500,000		
	As provided in Section 29- 7-6, <u>Code of Alabama 1975.</u>			
	Total Printing of Code Supple- ments - Legislative Reference Service	500,000		500,000
33.	PRINTING CODES AND SUPPLEMENTS - SECRETARY OF STATE:			
	(a) Administrative Support Serv- ices Program, Estimated			165,000
	SOURCE OF FUNDS:			
	(1) State General Fund	165,000		
	As provided in Sections 41- 21-1 and 41-21-154, <u>Code</u> <u>of Alabama 1975.</u>			
	Total Printing Codes and Sup- plements - Secretary of State	165,000		165,000
34.	PRINTING OF LEGISLATIVE ACTS AND JOURNALS:			
	(a) Administrative Support Serv- ices Program, Estimated			500,000
	SOURCE OF FUNDS:			
	(1) State General Fund	500,000		

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
As provided in Sections 41-4-130 through 41-4-161, <u>Code of Alabama 1975.</u>				
Total Printing of Legislative Acts and Journals		500,000		500,000
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35.	PRINTING OF STATE AND COUNTY PRIVILEGE LICENSES:			
(a)	State Revenue Administration Program, Estimated			25,000
SOURCE OF FUNDS:				
(1)	State General Fund	25,000		
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Total Printing of State and County Privilege Licenses		25,000		25,000
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36.	REGISTRATION OF VOTERS:			
(a)	Special Services Program, Estimated			1,150,000
(b)	Voter Identification Assistance Program			60,000
SOURCE OF FUNDS:				
(1)	State General Fund	60,000		
(2)	State General Fund, Estimated	1,150,000		
In accordance with Sections 17-4-126 and 17-4-153, <u>Code of Alabama 1975.</u>				
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Total Registration of Voters ...		1,210,000		1,210,000
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37.	REMOVAL OF PRISONERS:			
(a)	Administrative Services and Logistical Support Program, Estimated			300,000
SOURCE OF FUNDS:				
(1)	State General Fund	300,000		
As provided in Sections 15-10-70 through 15-10-73 and 15-9-62, 15-9-65, and 15-9-81, <u>Code of Alabama 1975.</u>				
<hr/>				
Total Removal of Prisoners		300,000		300,000

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
38.	STATE GENERAL FUND, ESTIMATED			57,000,000
	SOURCE OF FUNDS:			
	(1) Heritage Trust Income Fund Transfer, Estimated		57,000,000	
	All income other than in- come realized on sale of Trust Fund assets and not otherwise appropriated herein.			
	Total State General Fund, Estimated		57,000,000	57,000,000
39.	STATE TREASURER- PREVIOUS YEAR'S UNPAID WARRANTS:			
	(a) Special Services Program, Estimated			200,000
	SOURCE OF FUNDS:			
	(1) State General Fund	200,000		
	As provided in Section 41- 4-60, <u>Code of Alabama</u> <u>1975.</u>			
	Total State Treasurer-Pre- vious Year's Unpaid Warrants	200,000		200,000
40.	REPAYMENT-ACT 86-645 FUND NO. 305735			7,000,000
	Notwithstanding the provi- sions of Act 87-761 or any other law to the contrary, the above appropriation shall be condi- tioned on the availability of funds in the State General Fund, the recommendation by the Director of Finance, and upon approval of the Gover- nor.			
	SOURCE OF FUNDS:			
	(1) State General Fund - Transfer	7,000,000		
	Total Repayment-Act 86-645 Fund No. 305735	7,000,000		7,000,000

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		Fund Sources Included In Appropriation Total		Appropriation <u>Total</u>
		General Fund	Trust Fund	
2E.	DEBT SERVICE FUNDED FROM THE STATE GENERAL FUND:			
1.	General Obligation Capital Improve- ment Bonds, Series B, Estimated ...			1,184,000
	SOURCE OF FUNDS:			
	(1) State General Fund - Transfer	1,184,000		
	Total General Obligation Cap- ital Improvement Bonds, Se- ries B, Estimated	1,184,000		1,184,000
2.	General Obligation Coosa Waterway Bonds, Series A and B, Estimated ..			1,015,270
	SOURCE OF FUNDS:			
	(1) State General Fund - Transfer	1,015,270		
	Total General Obligation Coosa Waterway Bonds, Series A and B, Estimated	1,015,270		1,015,270
3.	General Obligation Docks Facilities Bonds, Series A-C, Estimated			4,599,000
	SOURCE OF FUNDS:			
	(1) State General Fund - Transfer	4,599,000		
	Total General Obligation Docks Facilities Bonds, Series A-C, Estimated	4,599,000		4,599,000
4.	Tennessee-Tombigbee Waterway Bonds, Series A and C-D, Estimated			3,401,367
	SOURCE OF FUNDS:			
	(1) State General Fund - Transfer, Estimated	3,401,367		
	Pursuant to Constitu- tional Amendment No. 270 as provided in Act No. 248, 1967 Regular Session.			
	Total Tennessee-Tombigbee Waterway Bonds, Series A and C-D, Estimated	3,401,367		3,401,367
5.	Corrections Institution Bonds, Estimated			1,817,000
	SOURCE OF FUNDS:			
	(1) State General Fund - Transfer, Estimated	1,817,000		
	Pursuant to Constitu- tional Amendment No. 374			

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	Fund Sources Included In Appropriation Total		Appropriation Total
	General Fund	Trust Fund	
as provided for in Act No. 134, 1978 Second Special Session.			
Total Corrections Institution Bonds, Estimated	1,817,000		1,817,000
6. General Obligation Capital Bonds, 1982, Series A and B, and General Obligation Refunding Bonds, 1983, Series A and B, Estimated			66,665,897
SOURCE OF FUNDS:			
(1) State General Fund - Transfer	66,665,897		
Total General Obligation Cap- ital Bonds, 1982, Series A and B, and General Obligation Re- funding Bonds, 1983, Series A and B, Estimated	66,665,897		66,665,897
2F. CONDITIONAL APPROPRIATIONS:			
In addition to the appropriations here- tofore made there is hereby appropriated to the following agencies from the State General Fund the following amounts to be conditioned on the availability of funds in the State General Fund and upon the recommendation of the Finance Director and approval of the Governor.			
1. Adjustment, Board of			100,000
2. Alabama Trust Fund Board			200,000
3. Auditor's Office			39,591
4. Building Commission			33,453
5. Cahaba Advisory Committee			382
6. Conservation and Natural Resources			992,813
7. Corrections, Department of			3,313,452
\$1,100,000 shall be used for ex- panded facilities at Bullock County.			
8. Alabama Development Office			1,305,611
9. District Attorneys			102,571
10. Economic and Community Affairs			4,340,000
11. Education, Department of			69,380
12. Elk River Development Agency			171
13. Emergency Management Agency			155,789

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	Fund Sources Included In Appropriation Total		Appropriation Total
	General Fund	Trust Fund	
14. Environmental Management, Department of			324,365
15. Ethics Commission			16,834
16. Examiners of Public Accounts			560,665
17. Farm Crisis and Transition Center			72,900
18. Farmer's Market Authority			532
19. Finance, Department of			675,139
20. Finance-Air Transportation			98,301
21. Finance-Telephone Revolving Fund			188,895
22. Forensic Sciences			283,058
23. Geological Survey			15,037
24. Gorgas Memorial Board			3,210
25. Governor's Mansion			7,445
26. Governor's Mansion Advisory Board-Capital Outlay			250,363
27. Governor's Office			148,752
28. Department of Public Health			1,800,000
For the reduction in cigarette tax revenue due to the issuance of Mental Health Bonds.			
29. Industrial Relations, Department of			195,315
30. Insurance, Department of			362,653
31. Labor, Department of			21,123
32. Law Institute, Alabama			42,333
33. Legislative Fiscal Office			92,462
34. Legislative Reference Service			59,008
35. Mental Health, Department of			4,200,000
For the reduction in cigarette tax revenue due to the issuance of Mental Health Bonds.			
36. Motor Sports Hall of Fame			20,766
37. Oil and Gas Board			4,860
38. Public Safety			5,167,308
\$2,500,000 shall be used for Automated Fingerprint Identification System.			
39. Secretary of State			118,282
40. Soil and Water Conservation			495
41. Southern Growth Policies Board ...			1,113
42. Treasurer			2,982

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	Fund Sources Included In Appropriation Total		Appropriation Total
	General Fund	Trust Fund	
43. TVA Exhibit Commission			250,000
44. Veterans' Affairs			5,126
45. Women's Commission, Alabama			399
46. Youth Services			236,931
47. Advertising Lands for Tax			55,000
48. Election Expenses			1,500,000
49. Departmental Emergency Fund			500,000
50. Fair Trial Tax Transfer			500,000
51. Feeding of Prisoners			1,000,000
52. Department of Finance-Capitol Renovation			9,385,000
53. Department of Finance - FEMA			200,000
54. Governor's Proclamation Expense ..			50,000
55. Military Emergency Active Duty Pay			100,000
56. Policeman's Survivor Tuition Act ...			15,000
57. Registration of Voters			660,000
58. State Treasurer-Previous Year's Un- paid Warrants			75,000
59. Alabama Industrial Development Training-U.S. Air Force Standards Systems Center, Montgomery			1,500,000

SECTION 3. That, except as may be herein otherwise provided, amounts herein specifically appropriated shall be in lieu of the amounts heretofore provided or appropriated by law for such purposes. That the amounts herein appropriated are the maximum amounts to be expended for the purposes herein designated and in no event shall the maximum expenditure provided for any items of expense exceed the amount allocated herein except as may be provided for under Sections 5 and 6 of this bill, as provided in the Budget Management Act of 1976, Sections 41-19-1 et seq., Code of Alabama 1975, and those appropriations herein made, except appropriations to the Alabama Alcoholic Beverage Control Board for the purchase of alcoholic beverages, are and shall be subject to the terms, conditions, provisions and limitations of Sections 41-4-80 et seq., Code of Alabama 1975, and the Budget Management Act of 1976, Sections 41-19-1 et seq., Code of Alabama 1975.

SECTION 4. That any surplus remaining in any appropriation herein made from the State General Fund to any office, department, bureau, board, commission or agency may be transferred, on order of the Governor, to any other appropriation herein made from the State General Fund when such appropriation to any office, department, bureau, board, commission, or agency is insufficient to pay salaries in that office, department, bureau, board, commission or agency.

SECTION 5. In addition to appropriations herein made, all gifts, grants, contributions, or entitlements, in excess of the amount carried in the bill, including grants by the Congress of the United States, municipalities or counties, to any

department division, board, bureau, commission agency, institution, office or officer of the State of Alabama are hereby appropriated and, in the event the same are recurring, are reappropriated to such department, division, board, bureau, commission, agency, institution, office or officer to be used only for the purpose or purposes for which the grant or contribution was or shall be made. Notwithstanding any laws to the contrary, any receipts during fiscal year 1988-89 which exceed an amount of up to 1% of such fiscal year state revenue receipts or up to \$100,000, whichever is greater, to any state fund or from any state revenue source that exceed the amount appropriated by this Act to any state fund, department, agency, division, board, bureau, commission, institution, or office with the exception of revenue to the Real Estate Commission; the Board of Cosmetology; the Department of Finance-Data Systems Management; Telephone Revolving Fund; Alabama Building Finance Authority; Capitol Complex Maintenance and Repair; Alabama Building Authority; Central Mail and Supply; Motor Pool; and Printing and Publications; Alabama Manufactured Housing Commission; and funds constitutionally earmarked for construction and maintenance of public roads and bridges shall be transferred to the State General Fund within thirty (30) days after September 30, 1989. Further, all state, county, municipal and educational entities are authorized to disburse such sums as deemed necessary by mutual agreement between said entities and the State of Alabama, Department of Examiners of Public Accounts to partially defray the cost of auditing services performed by said agency. All such sums are hereby appropriated and reappropriated if necessary to the Department of Examiners of Public Accounts for audit services, to be expended through the fund established by Section 41-5-24, Code of Alabama 1975.

SECTION 6. All interest earned from funds paid into Account No. 305735 by Act 87-761 and this act are hereby appropriated to the Governor's Contingency Fund to be spent at the discretion of the Governor. Any other interest earned by the state from Revenue Sharing Investments under the State and Local Fiscal Assistance Act of 1972, as amended, Public Law 92-512, 92nd Congress, together with any accruals or reversions thereon are hereby appropriated to the State General Fund.

SECTION 7. All encumbered balances of a previous fiscal year appropriation other than the exclusions authorized in Section 41-4-93, Code of Alabama 1975, shall lapse on September 30 of the fiscal year immediately following the fiscal year for which the appropriation was made and shall revert to the credit of the State General Fund or the trust fund from which the appropriation or appropriations were made.

SECTION 8. The appropriations made herein to the departments, boards, offices, commissions, and agencies include the amounts necessary and said departments, boards, offices, commissions, and agencies are hereby directed to make the transfer of funds to the State Personnel Department in the amounts enumerated in Section 2C, subsection 100.

SECTION 9. That, if any section, paragraph, sentence, clause, provision, or portion of this Act or all or any portion of any appropriations herein made be held unconstitutional or invalid, it shall not affect any other section, paragraph, sentence, clause, provision or portion of this Act or any other appropriation or appropriations or portion thereof hereby made not in and of itself unconstitutional or invalid.

SECTION 10. That all laws and parts of laws, general, special, private, or local in conflict with or inconsistent with the provisions of this Act be and the same are hereby expressly repealed.

SECTION 11. That each Department of the State funded through the provisions of this budget shall provide an equal opportunity for employment and business opportunities for all citizens of this state without regard to sex or race.

SECTION 12. That this Act shall become effective October 1, 1988.

Senator Corbett offered the following amendment to the substitute for the Bill, H. B. 9, to-wit:

AMENDMENT TO SUBSTITUTE FOR H. B. 9

Amend the substitute for House Bill 9 on Page 67 by deleting lines 9 through 21 in their entirety and inserting in lieu thereof the following:

108. REAL ESTATE COMMISSION, ALABAMA:

- | | |
|--|-----------|
| (a) Professional and Occupational
Licensing and Regulation
Program | 1,129,034 |
| (b) Capital Outlay | 400,000 |

SOURCE OF FUNDS:

- | | |
|--|-----------|
| (1) Alabama Real Estate
Commission Fund | 1,529,034 |
|--|-----------|

As provided in Section 34-27-4, Code of Alabama 1975 and the total expenditures shall in no manner exceed the amounts hereby appropriated.

Total Alabama Real Estate Commission	1,529,034	1,529,034
---	-----------	-----------

Which was adopted.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bill and Senate Joint Resolution with the original Senate Bill and Senate Joint Resolution respectively, and finds same correctly enrolled, to-wit:

S. 16. To further amend Section 40-12-252, Code of Alabama 1975, as amended, relating to the basis of tax for truck trailers, tractor trailers and semitrailers, so as to authorize a five-year registration option for these vehicles as now permitted for rental utility trailers, and gives the Department of Revenue the authority to develop and promulgate reasonable rules and regulations as needed to administer the provisions of this act.

Also:

S. J. R. 35. COMMENDING THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION AND MARSHALL SPACE FLIGHT CENTER ON THE SUCCESSFUL LAUNCH OF THE DISCOVERY SHUTTLE.

BILL DRINKARD,
Chairperson.

SIGNING OF BILLS AND RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill and Senate Joint Resolution, the titles of which are set out in the foregoing report from the Committee on Rules.

RESOLUTIONS

Senator Bedford offered the following Senate Resolution, to-wit:

S. R. 44. COMMENDING THE REVEREND W. T. ALLISON FOR EXTRAORDINARY SERVICE TO THE HAMILTON CHURCH OF CHRIST AND THE COMMUNITY.

Which was filed.

Senator Amari offered the following Senate Resolution, to-wit:

S. R. 45. COMMENDING PARKWAY CHRISTIAN FELLOWSHIP ON THE DEDICATION OF ITS NEW FAMILY LIFE CENTER.

Which was filed.

FURTHER CONSIDERATION OF H. B. 9

The Senate proceeded to further consideration of the Bill, H. B. 9. The question was on the substitute, as amended.

Senator Goodwin offered the following amendment to the substitute, as amended, for H. B. 9, to-wit:

AMENDMENT TO SUBSTITUTE, AS AMENDED, FOR H. B. 9

To amend the substitute, as amended, for H. B. 9 on page 74, line 31 by adding after the word "Reunion" the following:

“, \$50,000 for the Cahaba Trace Commission”

Which was adopted.

Senator Dixon offered the following amendment to the substitute, as amended, for H. B. 9, to-wit:

AMENDMENT TO SUBSTITUTE, AS AMENDED, FOR H. B. 9

Amend the substitute, as amended, for H. B. 9 on page 78, lines 9, 11, and 15 by deleting the figure “115,000” and inserting in lieu thereof the figure “90,000”.

Which was adopted.

Senator Parsons offered the following amendment to the substitute, as amended, for H. B. 9, to-wit:

AMENDMENT TO SUBSTITUTE, AS AMENDED, FOR H. B. 9

Amend the substitute, as amended, for H. B. 9 on page 38 after line 25 by adding the following language:

“The Joint Interim Committee on Finances and Budgets shall adopt guidelines for the expenditure of funds appropriated to the Governor’s Contingency

Fund. Said Committee shall set such guidelines, review the expenditure of funds and report said expenditures to the Legislature."

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills and House Joint Resolution, your signature thereto is requested.

H. 5. This bill provides for an exception to the confidentiality provision of Chapter 11a of Title 22, Code of Alabama 1975, when a potential risk exists in the spread of a contagious disease by authorizing the State Committee of Public Health to establish guidelines for notification of pre-hospital transport agencies, funeral directors, school superintendents and others when indicated. The bill further sets penalties for violation.

Also:

H. 14. To amend Section 40-12-227 of the Code of Alabama, 1975 relating to the disposition of tax proceeds on the leasing or renting of tangible personal property.

Also:

H. 15. To amend Section 40-26-20 of the Code of Alabama, 1975 relating to the disposition of proceeds from the transient occupancy tax.

Also:

H. 40. To amend Section 40-12-223, Code of Alabama 1975, for the purpose of exempting from the leasing tax imposed by Sections 40-12-220 through 40-12-227, Code of Alabama 1975, the gross proceeds derived from the leasing of tangible personal property pursuant to a sale-lease back financing that meets certain conditions, including the initial acquisition of such property by the lessee or by an entity controlled by, or under common control with, the lessee, the subsequent sale of such property to the lessor, and the leasing back of such property from the lessor by the lessee pursuant to a lease which, among other things, has a term of not less than fifteen years and does not constitute a sale for either Alabama or federal income tax purposes or both.

Also:

H. J. R. 30. MEMORIALIZING THE UNITED STATES CONGRESS TO OVERRIDE THE PRESIDENT'S VETO OF THE TEXTILE, APPAREL AND FOOTWEAR TRADE ACT, H. R. 1154.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS AND RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills and House Joint Resolution, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 10. To provide for the creation of a special account to which the Legislature shall appropriate certain funds to prevent proration in the Alabama Special Educational Trust Fund; to prescribe criteria and procedures for withdrawals from such account in years of proration or in emergency situations as may be determined by the Legislature; to make annual appropriations to such account until a certain amount is established and to provide that such amount shall be maintained in separate trust from year to year except during years of proration in the Alabama Special Educational Trust Fund and in emergencies; to prescribe procedures and criteria for reimbursement to such account after withdrawals; to provide for the retention of accrued interest; to provide for an effective date; and to repeal conflicting provisions.

Also:

H. 38. Relating to the eradication and control of swine diseases; to make a conditional appropriation to the Department of Agriculture and Industries for the fiscal year ending September 30, 1989, to indemnify owners of swine for the value of any swine ordered condemned and destroyed for the prevention and eradication of the disease of hog cholera, African swine fever and other swine diseases.

Also:

H. 39. To amend further section 17-4-156, Code of Alabama 1975, as amended, relating to meeting days of the boards of registrars, so as to provide further for such meeting days and to provide an effective date.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

FURTHER CONSIDERATION OF H. B. 9

The Senate proceeded to further consideration of the Bill, H. B. 9. The question was on the Parsons amendment to the substitute, as amended.

On motion of Senator Smith (J), said amendment was laid on the table.

Senator Covington offered the following amendment to the substitute, as amended, for H. B. 9, to-wit:

AMENDMENT TO SUBSTITUTE, AS AMENDED, FOR H. B. 9

Amend the substitute, as amended, for H. B. 9 on page 72 by deleting lines 13-20 in their entirety.

Further amend on page 31, lines 22 and 29 by deleting the figure "94,374" and inserting in lieu thereof the figure "294,374".

Further amend on page 31, lines 19 and 29 by deleting the figure "268,256" and inserting in lieu thereof the figure "468,256".

On motion of Senator Smith (B), said amendment was laid on the table.

Yeas 21; Nays 4.

Yeas:

Senators:	Campbell	Ellis	Manley	
Amari	deGraffenried	Hale	Menton	
Bedsole	Denton	Hand	Sanders	
Bennett	Dial	Holmes	Smith (B)	
Bishop	Dixon	Horn	Smith (J)	
Cabaniss	Drinkard			—21

Nays:

Senators:	Corbett	Covington	Langford	
Bedford				—4

Senator Corbett offered the following amendment No. 2 to the substitute, as amended, for the Bill, H. B. 9, to-wit:

AMENDMENT NO. 2 TO SUBSTITUTE, AS AMENDED, FOR H. B. 9

Amend the substitute, as amended, for House Bill No. 9 Page 40 Line 31, by inserting Public Health Department after the word "of"

Which was adopted.

Senator Smith (J) offered the following amendment to the substitute, as amended, for the Bill, H. B. 9, to-wit:

AMENDMENT TO SUBSTITUTE, AS AMENDED, FOR H. B. 9

Amend Senate Substitute, as amended, for House Bill 9 on page 14, line 36, Section 2C-14 by deleting Section 2C-14 in its entirety and inserting in lieu thereof the following:

**"13. ATTORNEY GENERAL,
OFFICE OF THE:**

- | | |
|---|-----------|
| (a) Legal Advice and Legal Services Program | 6,324,455 |
| (b) Fair Marketing Practices Program | 523,698 |

SOURCE OF FUNDS:

- | | | | |
|---|-----------|---------|--|
| (1) State General Fund - Transfer | 5,795,232 | | |
| (2) State General Fund - Transfer - Consumer Protection | 513,698 | | |
| (3) Federal, Local and Miscellaneous Funds | | 539,223 | |

Total Office of the Attorney General	6,308,930	539,223	6,848,153
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In addition to the above appropriation to the Office of the Attorney General, there is hereby

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appropriated the amount of \$611,000 to be used to continue operation of the Attorney General Anti-Drug Program. Said funds will also be available for use as a state match for Federal Drug Grants and other Federal Grants."

On motion of Senator Hand, said amendment was laid on the table.

Yeas 19; Nays 10.

Yeas:

Senators:	Campbell	Figures	Manley	
Amari	deGraffenried	Foshee	Menton	
Bailey	Denton	Hale	Preuitt	
Bedsole	Dial	Hand	Rice	
Cabaniss	Dixon	Holmes	Smith (B)	—19

Nays:

Senators:	Corbett	Hilliard	Parsons	
Bedford	Covington	Horn	Smith (J)	
Bennett	Goodwin	Langford		—10

Senator Dial offered the following amendment to the substitute, as amended, for the Bill, H. B. 9, to-wit:

AMENDMENT TO SUBSTITUTE, AS AMENDED, FOR H. B. 9

Amend the substitute, as amended, for H. B. 9 on page 39, line 24 by deleting the figure "4,020,000" and inserting in lieu thereof the figure "5,000,000".

Senator Horn moved that said amendment be laid on the table, which motion was lost.

Yeas 8; Nays 20.

Yeas:

Senators:	Campbell	Figures	Langford	
Amari	deGraffenried	Horn	Sanders	
Bennett				—8

Nays:

Senators:	Covington	Foshee	Menton	
Bailey	Denton	Goodwin	Preuitt	
Bedford	Dial	Hale	Rice	
Bedsole	Dixon	Holmes	Smith (B)	
Bishop	Drinkard	Manley	Smith (J)	
Cabaniss				—20

And said amendment was then adopted.

Senator Bedford offered the following amendment to the substitute, as amended, for the Bill, H. B. 9, to-wit:

AMENDMENT TO SUBSTITUTE, AS AMENDED, FOR H. B. 9

Amend the substitute, as amended, for H. B. 9 on page 52 by deleting lines 20-29 in their entirety.

Which was adopted.

Senator Corbett offered the following amendment No. 3 to the substitute, as amended, for the Bill, H. B. 9, to-wit:

AMENDMENT NO. 3 TO SUBSTITUTE, AS AMENDED, FOR H. B. 9

Amend the substitute, as amended, for H. B. 9 on page 89 lines 26 and 30 by deleting the figure "1,150,000" and inserting in lieu thereof "940,000".

Further amend the substitute, as amended, on page 89 line 34 by deleting the figure "1,210,000" and inserting in lieu thereof the figure "1,000,000".

Further amend on page 70 lines 25 and 32 by deleting the figure "967,228" and inserting in lieu thereof the figure "817,228".

Further amend on page 70 lines 27 and 32 by deleting the figure "619,489" and inserting in lieu thereof the figure "469,489".

Further amend the substitute, as amended, for H. B. 9 on page 38 by deleting line 29 in its entirety.

Further amend the substitute, as amended, on page 38, lines 31 and 33 by deleting the figure "259,073" and inserting in lieu thereof the figure "9,073".

Further amend the substitute, as amended, on page 47 line 35 by deleting the figure "12,871,809" and inserting in lieu thereof the figure "13,481,809".

Further amend the substitute, as amended, on page 47 line 11 and page 48 line 21 by deleting the figure "280,905,417" and inserting in lieu thereof the figure "281,515,417".

Further amend the substitute, as amended, on page 48 line 21 by deleting the figure "15,371,809" and inserting in lieu thereof the figure "15,981,809".

On motion of Senator Horn, said amendment was laid on the table.

Yeas 20; Nays 9.

Yeas:

Senators:	deGraffenried	Ellis	Horn
Amari	Denton	Foshee	Manley
Bailey	Dial	Hale	Preuitt
Bedsole	Dixon	Hand	Rice
Bishop	Drinkard	Holmes	Smith (J)
Cabaniss			

—20

Nays:

Senators:	Corbett	Hilliard	Sanders
Bedford	Figures	Langford	Smith (B)
Bennett	Goodwin		

—9

Senator Goodwin offered the following amendment No. 2 to the substitute, as amended, for the Bill, H. B. 9, to-wit:

AMENDMENT NO. 2 TO SUBSTITUTE, AS AMENDED, FOR H. B. 9

Amend the substitute, as amended, for House Bill 9 on page 75, lines 10, 12 and 13 by striking the figure "1,650,680" and insert in lieu thereof the figure:

"1,800,680";

Further amend on page 84, lines 21, 27 and 28 by striking the figure "1,100,000" and insert in lieu thereof the figure "950,000".

On motion of Senator Manley, said amendment was laid on the table.

Yeas 20; Nays 4.

Yeas:

Senators:	Cabaniss	Ellis	Menton
Amari	deGraffenried	Hale	Preuitt
Bailey	Denton	Hand	Rice
Bedsole	Dial	Holmes	Smith (B)
Bennett	Dixon	Manley	Smith (J)
Bishop			

—20

Nays:

Senators:	Corbett	Goodwin	Langford
Bedford			

—4

Senator Rice offered the following amendment to the substitute, as amended, for the Bill, H. B. 9, to-wit:

AMENDMENT TO SUBSTITUTE, AS AMENDED, FOR H. B. 9

Amend the substitute, as amended, for House Bill No. 9 Page 8 Line 25, by striking out "existing" after the word "the" and further amend on Page 9 line 6 by striking out the word "existing".

Which was adopted.

Senator Smith (B) offered the following amendment to the substitute, as amended, for the Bill, H. B. 9, to-wit:

AMENDMENT TO SUBSTITUTE, AS AMENDED, FOR H. B. 9

Amend the substitute, as amended, for H. B. 9 on page 70 lines 25 and 32 by deleting the figure "967,228" and inserting in lieu thereof the figure "817,228".

Further amend on page 70 lines 27 and 32 by deleting the figure "619,489" and inserting in lieu thereof the figure "469,489".

Senator Horn moved that said amendment be laid on the table, which motion was lost.

Yeas 9; Nays 15.

Yeas:

Senators:	Denton	Horn	Menton
Bailey	Foshee	Langford	Parsons
Cabaniss	Goodwin		

—9

Nays:

Senators:	Bennett	Dixon	Manley	
Amari	Bishop	Ellis	Preuitt	
Bedford	Corbett	Hale	Rice	
Bedsole	Dial	Holmes	Smith (B)	—15

And said amendment was then adopted.

Senator Ellis offered the following amendment to the substitute, as amended, for the Bill, H. B. 9, to-wit:

AMENDMENT TO SUBSTITUTE, AS AMENDED, FOR H. B. 9

Amend Senate Substitute, as amended, for H. B. 9, on page 5, line 13, by deleting Section 2B. Judicial, in its entirety and substituting in lieu therefor the following:

		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Trust Fund	
2B. JUDICIAL:				
1. COURT OF CIVIL APPEALS:				
(a) Court Operations Program				1,156,729
SOURCE OF FUNDS:				
(1) State General Fund	1,156,729			
Total Court of Civil Appeals ..	1,156,729			1,156,729
2. COURT OF CRIMINAL APPEALS:				
(a) Court Operations Program				1,729,106
SOURCE OF FUNDS:				
(1) State General Fund	1,729,106			
Total Court of Criminal Appeals	1,729,106			1,729,106
3. JUDICIAL INQUIRY COMMISSION:				
(a) Administrative Services Program				103,990
SOURCE OF FUNDS:				
(1) State General Fund	103,990			
Total Judicial Inquiry Commission	103,990			103,990
4. JUDICIAL RETIREMENT FUND:				
(a) Retirement Systems Program				1,524,500
SOURCE OF FUNDS:				
(1) State General Fund	1,524,500			

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Total Judicial Retirement Fund	1,524,500	1,524,500
5. SUPREME COURT:		
(a) Court Operations Program		4,455,494
SOURCE OF FUNDS:		
(1) State General Fund	4,455,494	
Total Supreme Court	4,455,494	4,455,494
6. UNIFIED JUDICIAL SYSTEM:		
(Administrative Office of Courts)		
(a) Court Operations Program		57,675,108
(b) Administrative Services Program		3,550,000
(c) DUI Referral Program		101,000
(d) Fringe Benefit Program, Estimated		300,000
SOURCE OF FUNDS:		
(1) State General Fund	61,326,108	
(2) State General Fund-Social Security-County Judicial, Estimated	300,000	
(3) Clerks Supernumerary Fund		178,000
Total Unified Judicial System	61,448,108	178,000 61,626,108

On motion of Senator Horn, said amendment was laid on the table.

Senator Horn offered the following amendment to the substitute, as amended, for the Bill, H. B. 9, to-wit:

AMENDMENT TO SUBSTITUTE, AS AMENDED, FOR H. B. 9

Amend the substitute, as amended, for H. B. 9 on page 18 line 17 by deleting the figure "25,761,700" and inserting in lieu thereof the figure "25,161,700".

Further amend on page 19 line 8 by deleting the figure "2,561,700" and inserting in lieu thereof the figure "1,961,700".

Further amend on page 20 by line 17 by deleting the figures "2,561,700" and "48,587,545" and inserting in lieu thereof the figures "1,961,700" and "47,987,545" respectively.

Further amend the substitute, as amended, on page 45 after line 30 by adding the following:

 "(c) Historical Preservation Projects 600,000"

Further amend the substitute, as amended, on page 46 after line 21 by adding the following and renumbering the succeeding section:

 "(3) State General Fund - Transfer - Historical Preservation Projects 600,000"

Further amend the substitute, as amended, on page 46 line 25 by deleting

the figures "1,185,063" and "2,010,715" and inserting in lieu thereof the figures "1,785,063" and "2,610,715".

Further Amend the substitute, as amended, for H. B. 9 on page 47 by deleting lines 5-9 in their entirety.

Which was adopted.

Senator Corbett offered the following amendment No. 4 to the substitute, as amended, for the Bill, H. B. 9, to-wit:

AMENDMENT NO. 4 TO SUBSTITUTE, AS AMENDED, FOR H. B. 9

Amend the substitute, as amended, for H. B. 9 on page 97 after line 30 by adding the following new section 9 and renumbering all subsequent sections accordingly:

"Section 9. With the exceptions of the appropriations made herein to the Alabama Development Office and to the Bureau of Tourism and Travel, none of the agencies receiving an appropriation under the provisions of this bill shall expend any funds directly or indirectly in the support of the Alabama Reunion.

Which was lost.

Yeas 2; Nays 22.

Yeas:

Senators:	Corbett	Goodwin	—2
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Nays:

Senators:	Bishop	Dixon	Manley
Amari	Cabaniss	Foshee	Menton
Bailey	Covington	Hale	Preuitt
Bedford	deGraffenried	Hand	Rice
Bedsole	Denton	Holmes	Smith (B)
Bennett	Dial	Horn	—22

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 26. NAMING THE BRIDGE OVER THE LOCUST FORK OF THE BLACK WARRIOR RIVER IN JEFFERSON COUNTY, THE "RAY MOORE BRIDGE."

Also:

S. J. R. 43. CONGRATULATING DR. D. L. "DAN" IRELAND, PRESIDENT OF THE AMERICAN COUNCIL ON ALCOHOL PROBLEMS.

JOHN W. PEMBERTON,
Clerk.

FURTHER CONSIDERATION OF H. B. 9

The Senate proceeded to further consideration of the Bill, H. B. 9. The question was on the substitute, as amended.

And said substitute, as amended, was then adopted.

Yeas 32; Nays 0.

Yeas:

Senators:	Corbett	Figures	Manley
Amari	Covington	Foshee	Menton
Bailey	deGraffenried	Goodwin	Parsons
Bedford	Denton	Hale	Preuitt
Bedsole	Dial	Hand	Rice
Bennett	Dixon	Holmes	Sanders
Bishop	Drinkard	Horn	Smith (B)
Cabaniss	Ellis	Langford	Smith (J)
Campbell			

—32

Nays: —0

And said Bill, H. B. 9, as thus amended by the substitute, as amended, was read a third time at length and passed.

Yeas 31; Nays 2.

Yeas:

Senators:	Campbell	Ellis	Horn
Amari	Corbett	Figures	Langford
Bailey	Covington	Foshee	Manley
Bedford	deGraffenried	Goodwin	Menton
Bedsole	Denton	Hale	Preuitt
Bennett	Dial	Hand	Rice
Bishop	Dixon	Hilliard	Smith (B)
Cabaniss	Drinkard	Holmes	Smith (J)

—31

Nays:

Senators:	Parsons	Sanders	—2
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Senator Horn moved that the Senate reconsider the vote by which the Bill, H. B. 9, as amended, was passed, and further moved that the motion to reconsider be laid on the table. The motion to table prevailed.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Joint Resolutions with the original Senate Joint Resolutions, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 26. NAMING THE BRIDGE OVER THE LOCUST FORK OF THE BLACK WARRIOR RIVER IN JEFFERSON COUNTY, THE "RAY MOORE BRIDGE."

Also:

S. J. R. 43. CONGRATULATING DR. D. L. "DAN" IRELAND,
PRESIDENT OF THE AMERICAN COUNCIL ON ALCOHOL PROBLEMS.

BILL DRINKARD,
Chairperson.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolutions, the titles of which are set out in the foregoing report from the Committee on Rules.

FURTHER CONSIDERATION OF H. B. 45

The Senate proceeded to further consideration of the Bill, H. B. 45, as amended.

And said Bill, H. B. 45, as amended, was read a third time at length and passed.

Yeas 23; Nays 10.

Yeas:

Senators:	Covington	Foshee	Horn	
Bailey	deGraffenried	Goodwin	Manley	
Bedsole	Denton	Hale	Menton	
Bennett	Dial	Hand	Preuitt	
Cabaniss	Dixon	Hilliard	Rice	
Campbell	Drinkard	Holmes	Smith (B)	—23

Nays:

Senators:	Bishop	Figures	Sanders	
Amari	Corbett	Langford	Smith (J)	
Bedford	Ellis	Parsons		—10

Senator Horn moved that the Senate reconsider the vote by which the Bill, H. B. 45, as amended, was passed, and further moved that the motion to reconsider be laid on the table. The motion to table prevailed.

FURTHER CONSIDERATION OF H. B. 23

The Senate proceeded to further consideration of the Bill, H. B. 23.

And said Bill, H. B. 23, was read a third time at length and passed.

Yeas 28; Nays 1.

Yeas:

Senators:	Covington	Figures	Langford	
Bailey	deGraffenried	Foshee	Manley	
Bedford	Denton	Goodwin	Menton	
Bedsole	Dial	Hale	Preuitt	
Bishop	Dixon	Hand	Rice	
Cabaniss	Drinkard	Hilliard	Smith (B)	
Campbell	Ellis	Holmes	Smith (J)	
Corbett				—28

Nay: Senator Amari

—1

FURTHER CONSIDERATION OF H. B. 17

The Senate proceeded to further consideration of the Bill, H. B. 17. The question was on the amendment offered by Senator Dixon.

On motion of Senator Dixon, said amendment was laid on the table.

Senator Dixon then offered the following amendment No. 2 to the Bill, H. B. 17, to-wit:

AMENDMENT NO. 2 TO H. B. 17

Amend H. B. 17 on page 1, lines 9 and 16 after the word "Inc." by inserting the following language:

"and \$25,000 from the State General Fund to Alabama's Junior Miss Pageant".

Further amend on page 1 after line 22 by adding the following Section 2 and renumbering all subsequent sections accordingly:

"Section 2. There is hereby appropriated to Alabama's Junior Miss Pageant from the State General Fund the amount of twenty-five thousand dollars (\$25,000) for the fiscal year ending September 30, 1989."

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Covington	Foshee	Langford	
Amari	deGraffenried	Goodwin	Manley	
Bailey	Dial	Hale	Menton	
Bedford	Dixon	Hilliard	Parsons	
Bedsole	Drinkard	Holmes	Preuit	
Cabaniss	Ellis	Horn	Smith (B)	
Campbell	Figures			—25

Nays: —0

And said Bill, H. B. 17, as thus amended, was read a third time at length and passed.

Yeas 24; Nays 3.

Yeas:

Senators:	Campbell	Ellis	Horn	
Bailey	Covington	Figures	Langford	
Bedford	deGraffenried	Foshee	Manley	
Bedsole	Denton	Goodwin	Preuit	
Bennett	Dixon	Hilliard	Smith (B)	
Bishop	Drinkard	Holmes	Smith (J)	
Cabaniss				—24

Nays:

Senators:	Amari	Corbett	Sanders	—3
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FURTHER CONSIDERATION OF H. B. 18

The Senate proceeded to further consideration of the Bill, H. B. 18.

And said Bill, H. B. 18, was read a third time at length and passed.

Yeas 23; Nays 3.

Yeas:

Senators:	Campbell	Ellis	Holmes	
Bedford	Covington	Figures	Langford	
Bedsole	deGraffenried	Foshee	Menton	
Bennett	Denton	Goodwin	Preuitt	
Bishop	Dial	Hale	Rice	
Cabaniss	Drinkard	Hilliard	Smith (B)	—23

Nays:

Senators:	Amari	Corbett	Smith (J)	—3
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FURTHER CONSIDERATION OF H. B. 24

The Senate proceeded to further consideration of the Bill, H. B. 24.

And said Bill, H. B. 24, was read a third time at length and passed.

Yeas 24; Nays 2.

Yeas:

Senators:	Denton	Goodwin	Manley	
Bedford	Dixon	Hale	Menton	
Bedsole	Drinkard	Hilliard	Preuitt	
Bennett	Ellis	Holmes	Rice	
Campbell	Figures	Horn	Smith (B)	
Covington	Foshee	Langford	Smith (J)	
deGraffenried				—24

Nays:

Senators:	Amari	Corbett		—2
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FURTHER CONSIDERATION OF H. B. 19

The Senate proceeded to further consideration of the Bill, H. B. 19.

And said Bill, H. B. 19, was read a third time at length and passed.

Yeas 26; Nays 1.

Yeas:

Senators:	Corbett	Ellis	Langford	
Bedford	Covington	Figures	Menton	
Bedsole	deGraffenried	Foshee	Preuitt	
Bennett	Denton	Goodwin	Rice	
Bishop	Dial	Hale	Smith (B)	
Cabaniss	Dixon	Hilliard	Smith (J)	
Campbell	Drinkard	Horn		—26

<i>Nay:</i> Senator Amari				—1
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MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 45. To delete or restrict certain deductions from gross income for Alabama Income Tax purposes.

JOHN W. PEMBERTON,
Clerk.

FURTHER CONSIDERATION OF H. B. 16

The Senate proceeded to further consideration of the Bill, H. B. 16.

And said Bill, H. B. 16, was read a third time at length and passed.

Yeas 24; Nays 2.

Yeas:

Senators:	deGraffenried	Foshee	Manley
Bedford	Denton	Goodwin	Menton
Bedsole	Dial	Hale	Preuitt
Bennett	Dixon	Hand	Rice
Bishop	Drinkard	Hilliard	Smith (B)
Cabaniss	Ellis	Langford	Smith (J)
Campbell			

—24

Nays:

Senators:	Amari	Corbett	
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—2

FURTHER CONSIDERATION OF H. B. 30

The Senate proceeded to further consideration of the Bill, H. B. 30.

And said Bill, H. B. 30, was read a third time at length and passed.

Yeas 23; Nays 2.

Yeas:

Senators:	Campbell	Foshee	Manley
Bedford	deGraffenried	Goodwin	Menton
Bedsole	Denton	Hale	Preuitt
Bennett	Dial	Hand	Rice
Bishop	Dixon	Hilliard	Smith (B)
Cabaniss	Drinkard	Langford	Smith (J)

—23

Nays:

Senators:	Amari	Corbett	
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—2

FURTHER CONSIDERATION OF H. B. 31

The Senate proceeded to further consideration of the Bill, H. B. 31.

And said Bill, H. B. 31, was read a third time at length and passed.

Yeas 24; Nays 2.

Yeas:

Senators:	deGraffenried	Goodwin	Manley
Bedford	Denton	Hale	Menton
Bedsole	Dial	Hand	Preuitt
Bennett	Dixon	Hilliard	Rice
Bishop	Drinkard	Horn	Smith (B)
Cabaniss	Foshee	Langford	Smith (J)
Campbell			

—24

Nays:

Senators: Amari Corbett —2

FURTHER CONSIDERATION OF H. B. 20

The Senate proceeded to further consideration of the Bill, H. B. 20.

And said Bill, H. B. 20, was read a third time at length and passed.

Yeas 21; Nays 1.

Yeas:

Senators:	Campbell	Ellis	Parsons
Bedford	Covington	Goodwin	Preuitt
Bedsole	deGraffenried	Langford	Rice
Bennett	Denton	Manley	Smith (B)
Bishop	Dial	Menton	Smith (J)
Cabaniss	Drinkard		

—21
Nay: Senator Amari —1**RESOLUTION**

Senator Drinkard offered the following Senate Joint Resolution, to-wit:

S. J. R. 46. SINE DIE ADJOURNMENT.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That when the two houses adjourn today, Friday, September 30, they adjourn sine die.

On motion of Senator Drinkard, the Rules were suspended and the Resolution was adopted by the Senate.

FURTHER CONSIDERATION OF H. B. 21

The Senate proceeded to further consideration of the Bill, H. B. 21.

And said Bill, H. B. 21, was read a third time at length and passed.

Yeas 21; Nays 2.

Yeas:

Senators:	Covington	Goodwin	Menton
Bedford	deGraffenried	Hale	Preuitt
Bedsole	Denton	Hilliard	Rice
Bennett	Dial	Langford	Smith (B)
Cabaniss	Drinkard	Manley	Smith (J)
Campbell	Ellis		

—21
Nays:

Senators: Amari Corbett —2

FURTHER CONSIDERATION OF H. B. 22

The Senate proceeded to further consideration of the Bill, H. B. 22.

Senator Covington moved that further consideration of the Bill be postponed temporarily, which motion was lost.

SECOND EXTRAORDINARY SESSION
5th Day

215

Yeas 10; Nays 15.

Yeas:

Senators:	Corbett	Goodwin	Menton	
Amari	Covington	Hilliard	Parsons	
Bishop	Figures	Langford		—10

Nays:

Senators:	deGraffenried	Drinkard	Preuitt	
Bedford	Denton	Ellis	Rice	
Bedsole	Dial	Hale	Smith (B)	
Cabaniss	Dixon	Manley	Smith (J)	—15

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 9. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, for other functions of government, for interest on the public debt, and for capital outlay for the fiscal year ending September 30, 1989.

JOHN W. PEMBERTON,
Clerk.

FURTHER CONSIDERATION OF H. B. 22

The Senate proceeded to further consideration of the Bill, H. B. 22.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 17. To make an appropriation of \$100,000 from the State General Fund to America's Junior Miss Pageant, Inc. and \$25,000 from the State General Fund to Alabama's Junior Miss Pageant for the fiscal year ending September 30, 1989.

JOHN W. PEMBERTON,
Clerk.

FURTHER CONSIDERATION OF H. B. 22

The Senate proceeded to further consideration of the Bill, H. B. 22.

Senator Corbett moved that further consideration of the Bill, H. B. 22, be postponed until the Seventh Legislative Day, which motion was lost.

Yeas 6; Nays 16.

Yeas:

Senators:	Covington	Hilliard	Parsons	
Corbett	Denton	Langford		—6

Nays:

Senators:	Cabaniss	Drinkard	Preuitt
Amari	deGraffenried	Ellis	Rice
Bailey	Dial	Hale	Smith (B)
Bedford	Dixon	Manley	Smith (J)
Bennett			

—16

On motion of Senator Parsons, further consideration of the Bill, H. B. 22, was postponed subject to the call of the Chair.

FURTHER CONSIDERATION OF H. B. 25

The Senate proceeded to further consideration of the Bill, H. B. 25.

Senator Corbett moved that further consideration of the Bill be postponed until the Seventh Legislative Day.

Senator Rice offered a substitute motion that further consideration of the Bill be postponed subject to the call of the Chair.

MESSAGE FROM THE HOUSE

Mr. President Pro Tem:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 18. To make an appropriation of \$20,000 from the State General Fund to Brierfield Ironworks for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

Also:

H. 23. To make an appropriation from the State General Fund in the amount of \$50,000 to the Alabama Mining Museum in Dora, Alabama for the fiscal year ending September 30, 1989 and to require an operations plan and audited financial statement prior to release of any funds.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President Pro Tem:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 16. To make an appropriation from the State General Fund to the Mallard Fox Creek Port and Industrial Park for the fiscal year ending

September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

Also:

H. 30. To make an appropriation of \$30,000 from the State General Fund to Helen Keller Property Board for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President Pro Tem:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 45. To delete or restrict certain deductions from gross income for Alabama Income Tax purposes.

Also:

H. 19. To make an appropriation for the support and maintenance of the Cleveland Avenue YMCA for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

Also:

H. 24. To make an appropriation from the State General Fund to the Wallace Industrial Air Park for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President Pro Tem:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 17. To make an appropriation of \$100,000 from the State General Fund to America's Junior Miss Pageant, Inc. and \$25,000 from the State General Fund to Alabama's Junior Miss Pageant for the fiscal year ending September 30, 1989.

Also:

H. 21. To make an appropriation of \$200,000 from the State General Fund to Fort Gaines for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President Pro Tem:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 20. To make an appropriation of \$50,000, from the State General Fund to Desoto Commission for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

Also:

H. 31. To make an appropriation of \$50,000 from the State General Fund to W.C. Handy Property Board for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

FURTHER CONSIDERATION OF H. B. 25

The Senate proceeded to further consideration of the Bill, H. B. 25. The question was on the substitute motion of Senator Rice that further consideration of the Bill, H. B. 25, be postponed subject to the call of the Chair.

On motion of Senator deGraffenried, said motion was laid on the table.

The question was then on the motion of Senator Corbett that further consideration of the Bill, H. B. 25, be postponed until the Seventh Legislative Day.

On motion of Senator deGraffenried, said motion was laid on the table.

And said Bill, H. B. 25, was then read a third time at length and passed.

Yeas 17; Nays 1.

Yeas:

Senators:	deGraffenried	Hilliard	Preuitt
Bedsole	Denton	Langford	Rice
Bennett	Dial	Manley	Smith (B)
Campbell	Drinkard	Menton	Smith (J)
Covington	Foshee		

—17

Nay: Senator Corbett —1

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 9. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, for other functions of government, for interest on the public debt, and for capital outlay for the fiscal year ending September 30, 1989.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

FURTHER CONSIDERATION OF H. B. 26

The Senate proceeded to further consideration of the Bill, H. B. 26.

And said Bill, H. B. 26, was read a third time at length and passed.

Yeas 20; Nays 1.

Yeas:

Senators:	deGraffenried	Hale	Parsons
Bailey	Denton	Hilliard	Preuitt
Bedsole	Dial	Langford	Rice
Bennett	Dixon	Manley	Smith (B)
Campbell	Drinkard	Menton	Smith (J)
Covington			

—20

Nay: Senator Corbett

—1

FURTHER CONSIDERATION OF H. B. 27

The Senate proceeded to further consideration of the Bill, H. B. 27.

And said Bill, H. B. 27, was read a third time at length and passed.

Yeas 20; Nays 1.

Yeas:

Senators:	deGraffenried	Foshee	Parsons
Bailey	Denton	Hale	Preuitt
Bedsole	Dial	Hilliard	Rice
Bennett	Dixon	Langford	Smith (B)
Campbell	Drinkard	Menton	Smith (J)
Covington			

—20

Nay: Senator Corbett

—1

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 46. SINE DIE ADJOURNMENT.

JOHN W. PEMBERTON,
Clerk.**FURTHER CONSIDERATION OF H. B. 28**

The Senate proceeded to further consideration of the Bill, H. B. 28.

And said Bill, H. B. 28, was read a third time at length and passed.

Yeas 23; Nays 1.

Yeas:

Senators:	Campbell	Drinkard	Menton
Bailey	Covington	Foshee	Parsons
Bedford	deGraffenried	Hale	Preuitt
Bedsole	Denton	Hilliard	Rice
Bennett	Dial	Langford	Smith (B)
Cabaniss	Dixon	Manley	Smith (J)

—23

Nay: Senator Corbett

—1

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 25. To make an appropriation of \$75,000 from the State General Fund to Alabama Travel Council for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

Also:

H. 26. To make an appropriation of \$50,000 from the State General Fund to the Southern Museum of Flight for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 27. To make an appropriation of \$30,000 from the State General Fund to the Pea River Historical Society for the fiscal year ending September 30, 1989, and to require an operations plan and audited financial statement prior to release of any funds.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 28. To make an appropriation of \$50,000 from the State General Fund to the Mountain Lakes Tourist Association for the fiscal year ending September 30, 1989.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Joint Resolution with the original Senate Joint Resolution, and finds same correctly enrolled, to-wit:

S. J. R. 46. SINE DIE ADJOURNMENT.

BILL DRINKARD,
Chairperson.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolution, the title of which is set out in the foregoing report from the Committee on Rules.

REPORT OF SECRETARY

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Bill and Senate Joint Resolutions delivered to the Governor, with the date and hour of delivery, to-wit:

S. J. R. 2

S. J. R. 3

S. J. R. 4

Delivered to the Governor September 30, 1988, at 10:45 A.M.

S. B. 16

S. J. R. 14

S. J. R. 30

S. J. R. 5

S. J. R. 16

S. J. R. 35

S. J. R. 6

S. J. R. 21

Delivered to the Governor September 30, 1988, at 8:52 P.M.

S. J. R. 26

S. J. R. 43

Delivered to the Governor September 30, 1988, at 10:50 P.M.

S. J. R. 46

Delivered to the Governor September 30, 1988, at 11:59 P.M.

McDOWELL LEE,
Secretary of Senate.

SECRETARY'S REPORT

The foregoing report of the Secretary was read and ordered spread upon the Journal.

REPORT OF COMMITTEE ON RULES ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journals of the Senate for the Fourth and Fifth Legislative Days and finds same correct and containing all original entries and references thereto required by the Constitution.

BILL DRINKARD,
Chairperson.

COMMITTEE REPORT

On motion of Senator Drinkard, the foregoing report was concurred in and the Journals of the Senate for the Fourth and Fifth Legislative Days were approved by the Senate.

ADJOURNMENT

At 11:58 P.M., on motion of Senator deGraffenried, in accordance with Joint Resolution heretofore adopted, the Senate adjourned sine die.

McDOWELL LEE,
Secretary of Senate.

ROSTER OF THE SENATE OF ALABAMA

1988

Jim Folsom, Jr., <i>Lieutenant Governor</i>	Alabama State House, Montgomery
Ryan deGraffenried, <i>President Pro-Tem</i>	Tuscaloosa
McDowell Lee, <i>Secretary</i>	Montgomery
John D. Crawford, <i>Assistant Secretary</i>	Montgomery
Mrs. William R. Lawley, Jr., <i>Chief Clerk</i>	Montgomery
District No. 1—Lauderdale, Colbert	
Bobby Denton	P.O. Box 987 Tuscumbia 35674
District No. 2—Madison, Limestone, Lauderdale	
Jim Smith	108-A South Side Square Huntsville 35801
District No. 3—Lawrence, Morgan	
Ray Campbell	Rt. 4, Box 43 Town Creek 35672
District No. 4—Cullman, Morgan, Madison	
Don Hale	409 6th St. S.W., Cullman 35055
District No. 5—Pickens, Tuscaloosa, Walker	
Charles Bishop	P.O. Box 2328, Jasper 35501
District No. 6—Franklin, Marion, Winston, Lamar, Fayette	
Roger H. Bedford	P.O. Box 669, Russellville 35653
District No. 7—Madison	
Bill G. Smith	2009 Gallatin St., S.W. Huntsville 35801
District No. 8—Madison, Jackson, DeKalb	
Lowell R. Barron	P.O. Box 65, Fyffe 35971
District No. 9—Marshall, Blount, DeKalb	
Hinton Mitchem	P.O. Box 297, Albertville 35950
District No. 10—Etowah	
Bill Drinkard	Holy Name of Jesus Medical Center Moragne Park, Gadsden 35902
District No. 11—Elmore, Talladega, Coosa	
Jim Preuitt	P.O. Box 1063, Talladega 35160
District No. 12—Calhoun	
Donald G. Holmes	P.O. Box 3383 Oxford 36203
District No. 13—Chambers, Clay, Randolph, Cleburne, Cherokee, DeKalb	
Gerald Dial	P.O. Box 248, Lineville 36266
District No. 14—St. Clair, Shelby, Bibb	
Frank (Butch) Ellis, Jr.	P.O. Box 587 Columbiana 35051

- District No. 15—Jefferson
John E. Amari 9636 Parkway East, Birmingham 35215
- District No. 16—Jefferson
William J. Cabaniss, Jr. P.O. Box 19925
Birmingham 35219
- District No. 17—Jefferson
Mac Parsons 2027 2nd Ave. N., Birmingham 35203
- District No. 18—Jefferson
Fred Horn 900 4th St. N., Birmingham 35204
- District No. 19—Jefferson
Jim Bennett Suite 100, 130 Building
130 Vulcan Road, Birmingham 35207
- District No. 20—Jefferson
Earl F. Hilliard P.O. Box 11385, Birmingham 35202
- District No. 21—Hale, Tuscaloosa
Ryan deGraffenried, Jr. P.O. Box 2263
Tuscaloosa 35403
- District No. 22—Marengo, Clarke, Choctaw,
Washington, Monroe, Conecuh
Rick Manley P.O. Drawer U
Demopolis 36732
- District No. 23—Choctaw, Sumter, Greene, Perry,
Dallas, Wilcox, Lowndes
Henry (Hank) Sanders P.O. Box 1305, Selma 36702
- District No. 24—Dallas, Autauga, Chilton, Bibb
Earl Goodwin P.O. Box 886, Selma 36702
- District No. 25—Montgomery
Larry Dixon P.O. Box 946, Montgomery 36102
- District No. 26—Montgomery, Elmore
Charles D. Langford 352 Dexter Ave.
Montgomery 36104
- District No. 27—Tallapoosa, Lee
John Rice P.O. Box 4008, Opelika 36803
- District No. 28—Macon, Bullock, Barbour, Russell
J. Danny Corbett Rt. 7, Box 821, Phenix City 36867
- District No. 29—Henry, Houston, Geneva
Chip Bailey P.O. Box 6791, Dothan 36301
- District No. 30—Butler, Crenshaw, Pike, Dale
J. Foy Covington, Jr. Rt. 2, Newville 36353
- District No. 31—Coffee, Covington, Escambia
E. (Crum) Foshee Alabama State House
Montgomery 36130
- District No. 32—Baldwin, Mobile
Perry A. Hand P.O. Box 478, Gulf Shores 36542

District No. 33—Mobile

Michael Figures 2317 St. Stephens Rd.
Mobile 36617

District No. 34—Mobile

Ann Bedsole P.O. Box 16642, Mobile 36616

District No. 35—Mobile

William J. (Bill) Menton Rt. 2, Box 171
Irvington 36544

**STANDING COMMITTEES
OF THE
ALABAMA STATE SENATE
1988**

BANKING AND INSURANCE

Drinkard, Chairperson; Cabaniss, Vice Chairperson; Amari, Bedford, Covington, deGraffenried, Dixon, Figures, Foshee, Goodwin, Smith (J).

RULES

Drinkard, Chairperson; Smith (J), Vice Chairperson; Barron, Bedford, Bishop, Dial, Figures, Foshee, Manley, Preuitt, Smith (B).

HEALTH

Smith (J), Chairperson; Preuitt, Vice Chairperson; Bailey, Bedsole, Dial, Dixon, Drinkard, Hale, Smith (B).

FINANCE AND TAXATION

Horn, Chairperson; Barron, Deputy Chairperson.

GENERAL FUND SUBCOMMITTEE

Hand, Vice Chairperson; Amari, Bedford, Cabaniss, Denton, Ellis, Figures, Goodwin, Manley, Preuitt, Smith (B).

EDUCATIONAL FUND SUBCOMMITTEE

Ellis, Vice Chairperson; Bennett, Bishop, Covington, deGraffenried, Dial, Hand, Hilliard, Rice, Sanders, Smith (J).

ECONOMIC AFFAIRS

Amari, Chairperson; Smith (B), Vice Chairperson; Bedford, Bennett, Campbell, Corbett, Holmes, Langford, Mitchem, Parsons, Sanders.

CONSUMER AFFAIRS SUBCOMMITTEE

Bedford, Chairperson; Holmes, Sanders.

INTERNATIONAL AND DOMESTIC TRADE SUBCOMMITTEE

Smith (B), Chairperson; Campbell, Amari.

JUDICIARY

Preuitt, Chairperson; Barron, Vice Chairperson; Bailey, Bedsole, Cabaniss, Dial, Dixon, Hale, Hand, Langford, Menton, Smith (J).

GOVERNMENTAL AFFAIRS

Manley, Chairperson; Bedford, Vice Chairperson; Bishop, Campbell, Corbett, Covington, Denton, Dixon, Ellis, Hale, Holmes, Langford, Mitchem, Parsons, Sanders.

MILITARY AFFAIRS SUBCOMMITTEE

Dixon, Chairperson; Hale, Holmes.

STUDENT AFFAIRS SUBCOMMITTEE

Bedford, Chairperson; Campbell, Sanders.

NATURAL RESOURCES

Bishop, Chairperson; Foshee, Vice Chairperson; Covington, Dial, Drinkard, Menton, Preuitt.

MINING AND RECLAMATION SUBCOMMITTEE

Bishop, Chairperson; Dial, Foshee.

OIL AND GAS SUBCOMMITTEE

Menton, Chairperson; Bishop, Drinkard.

WATERWAYS SUBCOMMITTEE

Preuitt, Chairperson; Covington, Dial.

AGRICULTURE, CONSERVATION, AND FORESTRY

Bedsole, Chairperson; Mitchem, Vice Chairperson; Bailey, Barron, Bishop, Campbell, Covington, Denton, Ellis, Hale, Hand, Holmes, Menton.

COASTAL WATERS CONSERVATION SUBCOMMITTEE

Menton, Chairperson; Bedsole, Hand.

FORESTRY, FISH, AND GAME SUBCOMMITTEE

Ellis, Chairperson; Holmes, Mitchem.

PUBLIC WELFARE

Rice, Chairperson; Amari, Vice Chairperson; Bennett, Corbett, Mitchem. COMMITTEE ON AGING SUBCOMMITTEE

Amari, Chairperson; Bennett, Rice.

EDUCATION

Bailey, Chairperson; Hand, Vice Chairperson; Barron, Bedsole, Bennett, Dial, Menton, Parsons, Preuitt, Rice, Smith (B).

BUSINESS AND LABOR RELATIONS

Foshee, Chairperson; Rice, Vice Chairperson; Barron, Cabaniss, Hand, Holmes, Langford, Mitchem, Preuitt.

COMMERCE, TRANSPORTATION, AND UTILITIES

Dial, Chairperson; Amari, Vice Chairperson; Campbell, Covington, Denton, Dixon, Ellis, Foshee, Hilliard.

STATE DEVELOPMENT AND TOURISM

deGraffenried, Chairperson; Goodwin, Vice Chairperson; Bishop, Foshee, Manley.

SMALL BUSINESS

Holmes, Chairperson; Denton, Vice Chairperson; Bedford, Corbett, Dixon, Hale, Langford.

LOCAL LEGISLATION NO. 1

Covington, Chairperson; Foshee, Vice Chairperson; Bedford, Bishop, Goodwin, Manley, Sanders.

LOCAL LEGISLATION NO. 2

Hilliard, Chairperson; Amari, Vice Chairperson; Bennett, Cabaniss, Horn, Parsons.

LOCAL LEGISLATION NO. 3

Figures, Chairperson; Menton, Vice Chairperson; Bedsole, Hand.

COMMITTEE ASSIGNMENTS FOR 1988

ALABAMA STATE SENATE

21st District

RYAN deGRAFFENRIED—Chairperson, State Development and Tourism; Banking and Insurance; Finance and Taxation (Educational Fund subcommittee).

15th District

JOHN AMARI—Chairperson, Economic Affairs (International and Domestic Trade subcommittee); Vice Chairperson, Public Welfare (Chairperson, Committee on Aging subcommittee); Vice Chairperson, Commerce, Transportation, and Utilities; Vice Chairperson, Local Legislation No. 2; Banking and Insurance; Finance and Taxation (General Fund subcommittee).

29th District

CHIP BAILEY—Chairperson, Education; Health; Judiciary; Agriculture, Conservation, and Forestry.

8th District

LOWELL BARRON—Deputy Chairperson, Finance and Taxation; Vice Chairperson, Judiciary; Rules; Agriculture, Conservation, and Forestry; Education; Business and Labor Relations.

6th District

ROGER BEDFORD—Vice Chairperson, Governmental Affairs (Chairperson, Student Affairs subcommittee); Economic Affairs (Chairperson, Consumer Affairs subcommittee); Banking and Insurance; Rules; Finance and Taxation (General Fund subcommittee); Small Business; Local Legislation No. 1.

34th District

ANN BEDSOLE—Chairperson, Agriculture, Conservation, and Forestry (Coastal Waters Conservation subcommittee); Health; Judiciary; Education; Local Legislation No. 3.

19th District

JIM BENNETT—Finance and Taxation (Educational Fund subcommittee); Economic Affairs; Public Welfare (Committee on Aging subcommittee); Education; Local Legislation No. 2.

5th District

CHARLES BISHOP—Chairperson, Natural Resources (Chairperson, Mining and Reclamation subcommittee) (Oil and Gas subcommittee); Rules; Finance and Taxation (Educational Fund subcommittee); Governmental Affairs; Agriculture, Conservation, and Forestry; State Development and Tourism; Local Legislation No. 1.

16th District

BILL CABANISS—Vice Chairperson, Banking and Insurance; Finance and Taxation (General Fund subcommittee); Judiciary; Business and Labor Relations; Local Legislation No. 2.

3rd District

RAY CAMPBELL—Economic Affairs (International and Domestic Trade subcommittee); Governmental Affairs (Student Affairs subcommittee); Agriculture, Conservation, and Forestry; Commerce, Transportation, and Utilities.

28th District

DANNY CORBETT—Economic Affairs; Governmental Affairs; Public Welfare; Small Business.

30th District

FOY COVINGTON—Chairperson, Local Legislation No. 1; Banking and Insurance; Finance and Taxation (Educational Fund subcommittee); Governmental Affairs; Natural Resources (Waterways subcommittee); Agriculture, Conservation, and Forestry; Commerce, Transportation, and Utilities.

1st District

BOBBY DENTON—Vice Chairperson, Small Business; Finance and Taxation (General Fund subcommittee); Governmental Affairs; Agriculture, Conservation, and Forestry; Commerce, Transportation, and Utilities.

13th District

GERALD DIAL—Chairperson, Commerce, Transportation, and Utilities; Rules; Health; Finance and Taxation (Educational Fund subcommittee); Judiciary; Natural Resources (Mining and Reclamation subcommittee) (Waterways subcommittee); Education.

25th District

LARRY DIXON—Banking and Insurance; Health; Judiciary; Governmental Affairs (Chairperson, Military Affairs subcommittee); Commerce, Transportation, and Utilities; Small Business.

10th District

BILL DRINKARD—Chairperson, Banking and Insurance; Chairperson, Rules; Health; Natural Resources (Oil and Gas subcommittee).

14th District

FRANK (BUTCH) ELLIS, JR.—Finance and Taxation (Vice Chairperson, Educational Fund subcommittee), (General Fund subcommittee); Governmental Affairs; Agriculture, Conservation, and Forestry (Chairperson, Forestry, Fish, and Game subcommittee); Commerce, Transportation, and Utilities.

33rd District

MICHAEL FIGURES—Chairperson, Local Legislation No. 3; Banking and Insurance; Rules; Finance and Taxation (General Fund subcommittee).

31st District

CRUM FOSHEE—Chairperson, Business and Labor Relations; Vice Chairperson, Natural Resources (Mining and Reclamation subcommittee); Vice Chairperson, Local Legislation No. 1; Banking and Insurance; Rules; Commerce, Transportation, and Utilities; State Development and Tourism.

24th District

EARL GOODWIN—Vice Chairperson, State Development and Tourism; Banking and Insurance; Finance and Taxation (General Fund subcommittee); Local Legislation No. 1.

4th District

DON HALE—Health; Judiciary; Governmental Affairs (Military Affairs subcommittee); Agriculture, Conservation, and Forestry; Small Business.

32nd District

PERRY HAND—Finance and Taxation (Vice Chairperson, General Fund subcommittee); Vice Chairperson, Education; Finance and Taxation (Educational Fund subcommittee); Judiciary; Agriculture, Conservation, and Forestry (Coastal Waters Conservation subcommittee); Business and Labor Relations; Local Legislation No. 3.

20th District

EARL HILLIARD—Chairperson, Local Legislation No. 2; Finance and Taxation (Educational Fund subcommittee); Commerce, Transportation, and Utilities.

12th District

DONALD HOLMES—Chairperson, Small Business; Economic Affairs (Consumer Affairs subcommittee); Governmental Affairs (Military Affairs subcommittee); Agriculture, Conservation, and Forestry (Forestry, Fish, and Game subcommittee); Business and Labor Relations.

18th District

FRED HORN—Chairperson, Finance and Taxation; Local Legislation No. 2.

26th District

CHARLES LANGFORD—Economic Affairs; Judiciary; Governmental Affairs; Business and Labor Relations; Small Business.

22nd District

RICK MANLEY—Chairperson, Governmental Affairs; Rules; Finance and Taxation (General Fund subcommittee); State Development and Tourism; Local Legislation No. 1.

35th District

BILL MENTON—Vice Chairperson, Local Legislation No. 3; Judiciary; Natural Resources (Chairperson, Oil and Gas subcommittee); Agriculture, Conservation, and Forestry (Chairperson, Coastal Waters Conservation subcommittee); Education.

9th District

HINTON MITCHEM—Vice Chairperson, Agriculture, Conservation, and Forestry (Forestry, Fish, and Game subcommittee); Economic Affairs; Governmental Affairs; Public Welfare; Business and Labor Relations.

17th District

MAC PARSONS—Economic Affairs; Governmental Affairs; Education; Local Legislation No. 2.

11th District

JIM PREUITT—Chairperson, Judiciary; Vice Chairperson, Health; Rules; Finance and Taxation (General Fund subcommittee); Natural Resources (Chairperson, Waterways subcommittee); Education; Business and Labor Relations.

27th District

JOHN RICE—Chairperson, Public Welfare (Committee on Aging subcommittee); Vice Chairperson, Business and Labor Relations; Finance and Taxation (Educational Fund subcommittee); Education.

23rd District

HANK SANDERS—Finance and Taxation (Educational Fund subcommittee); Economic Affairs (Consumer Affairs subcommittee); Governmental Affairs; Local Legislation No. 1.

7th District

BILL SMITH—Vice Chairperson, Economic Affairs (Chairperson, International and Domestic Trade subcommittee); Rules; Health; Finance and Taxation (General Fund subcommittee); Education.

2nd District

JIM SMITH—Chairperson, Health; Vice Chairperson, Rules; Banking and Insurance; Finance and Taxation (Educational Fund subcommittee); Judiciary.

**HOUSE OF REPRESENTATIVES
ALPHABETICAL ROSTER AND
DISTRICT NUMBER**

Charles Adams, 83	Jimmy W. Holley, 91
John P. Beasley, 85	Alvin Holmes, 78
Greg Beers, 48	Perry O. Hooper, Jr., 73
Jack Biddle, III, 43	Ronald G. Johnson, 33
Lucius Black, Sr., 67	Roy W. Johnson, Jr., 63
A. J. Blake, 42	Bobby M. Junkins, 30
Harrell Blakeney, 66	Yvonne Kennedy, 103
W. C. (Bill) Bowling, 12	Al Knight, 40
Michael E. Box, 96	Ken Kvalheim, 101
Michael M. Breedlove, 65	Richard Laird, 37
Charlie Britnell, 18	Allen Layson, 15
Morris J. (Mo) Brooks, Jr., 10	Richard J. Lindsey, 39
Jenkins Bryant, Jr., 68	Steve J. Logan, 17
June Bugg, 29	E. B. McClain, 57
Ralph Burke, 24	Bobbie G. McDowell, 56
James Buskey, 99	Bob McKee, 74
John Buskey, 77	Stephen A. McMillan, 95
Tom Butler, 6	Beth Marietta, 104
James M. Campbell, 36	Herman H. Marks, 8
Joe R. Carothers, Jr., 86	Nathan Mathis, 87
Tommy Carter, 5	Bryant Melton, 61
James S. Clark, 84	Mike Mikell, 76
William Clark, 98	Gordon R. Moon, 25
Tom Coburn, 2	Max Newman, 16
W. F. (Noopie) Cosby, Jr., 70	Demetrius C. Newton, 53
Bobby C. Crow, 35	Paul Parker, 9
Johnny L. Curry, 50	Arthur Payne, 44
Patricia Davis, 58	Walter E. Penry, Jr., 94
Ernest Dillard, 7	George Perdue, 54
Tom Drake, 11	Tony Petelos, 49
Sundra E. Escott, 60	Phil Poole, 62
Dwight Faulk, 90	T. Euclid Rains, Sr., 26
Steve Flowers, 89	Thomas Reed, 82
Joe M. Ford, 28	Ben T. Richardson, 23
Ed Frazier, 14	John W. Rogers, Jr., 52
Dewayne Freeman, 21	George G. Seibels, Jr., 47
Bill Fuller, 38	William M. Slaughter, 46
Victor Gaston, 100	Lewis G. Spratt, 59
J. W. (Joe) Goodwin, 3	Nelson R. Starkey, Jr., 1
Billy Gray, 45	James L. Thomas, 69
George W. Grayson, 19	J. E. Turner, 102
E. A. Grouby, Jr., 71	Pete Turnham, 79
Albert Hall, 22	Jack B. Venable, 31
James Harold Hamilton, 4	Claud Walker, 75
Seth Hammett, 92	James E. (Jimmy) Warren, 64
Taylor F. Harper, 105	Frank P. (Skippy) White, 93
Bob Harvey, 27	Gary White, 55
Clarence E. Haynes, 32	Lester White, 81
Lewis W. Headley, 72	R. Nolan Williams, 88
Steve Hettinger, 20	Gerald Willis, 34
G. J. Higginbotham, 80	Jim Wright, 51
Michael E. Hill, 41	Mary S. Zoghby, 97
Thomas E. Hogan, 13	

ROSTER OF THE HOUSE OF REPRESENTATIVES OF ALABAMA

1988

SECOND EXTRAORDINARY SESSION

OFFICERS

JAMES S. CLARK, *Speaker*, Eufaula

JAMES M. CAMPBELL

Speaker Pro-Tem, Anniston

JOHN W. PEMBERTON, *Clerk*, Montgomery

GREG PAPPAS, *Assistant Clerk*, Montgomery

VANNAH W. NORRELL, *Chief Clerk*, Montgomery

MEMBERS OF THE HOUSE

Dist. No.	Counties	Name	Address
1	LAUDERDALE	Nelson R. Starkey, Jr.	301 North Pine St., Florence 35630
2	COLBERT	Tom Coburn	1107 East 3rd St., Tuscumbia 35674
3	COLBERT, LAUDERDALE	J. W. (Joe) Goodwin	310 Ford Road, Muscle Shoals 35661
4	LAUDERDALE, LIMESTONE	James Harold Hamilton	301 North Pine Street, Florence 35630
5	LIMESTONE	Tommy Carter	Route 2, Box 82, Elkmont 35620
6	MADISON	Tom Butler	1803 Forney Drive, Huntsville 35816
7	LAWRENCE, MORGAN	Ernest Dillard	Route 1, Box 216, Courtland 35618
8	MORGAN	Herman H. Marks	1704 Sandra Street, SW, Decatur 35601
9	MORGAN	Paul Parker	303 North Douglas Street, Hartselle 35640
10	MADISON	Morris J. (Mo) Brooks, Jr.	9009 Randall Road, Huntsville 35802
11	CULLMAN, MORGAN	Tom Drake	P.O. Box 1165, Cullman 35055

- 12 CULLMAN
W. C. (Bill) Bowling Route 2, Box 349, Hanceville 35077
- 13 WALKER
Thomas E. Hogan 300 12th Avenue, NE, Jasper 35501
- 14 TUSCALOOSA, WALKER
Ed Frazier N. 88, Hwy. 195, Jasper 35501
- 15 PICKENS, TUSCALOOSA
Allen Layson P.O. Box 910, Reform 35481
- 16 FAYETTE, LAMAR, MARION
Max Newman P.O. Box 428, Millport 35576
- 17 MARION, WINSTON
Steve J. Logan P.O. Box 576, Hamilton 35570
- 18 FRANKLIN, MARION
Charlie Britnell Route 2, Box 376, Russellville 35653
- 19 MADISON
George W. Grayson P.O. Box 38, Normal 35762
- 20 MADISON
Steve Hettinger 2207 Toll Gate, Huntsville 35801
- 21 MADISON
Dewayne Freeman 114 East Becky Circle, Huntsville 35810
- 22 JACKSON, MADISON
Albert Hall P.O. Box 275, Gurley 35748
- 23 JACKSON
Ben T. Richardson P.O. Box 1017, Scottsboro 35768
- 24 DeKALB
Ralph Burke P.O. Box 876, Fort Payne 35967
- 25 MARSHALL
Gordon R. Moon P.O. Box 265, Guntersville 35976
- 26 DeKALB, MARSHALL
T. Euclid Rains, Sr. Route 1, Box 326, Albertville 35950
- 27 BLOUNT
Bob Harvey Route 4, Box 2215, Oneonta 35121
- 28 ETOWAH
Joe M. Ford Gadsden State Community College
1001 George Wallace Dr., Gadsden 35999
- 29 ETOWAH
June Bugg 610 South 5th St., Gadsden 35901
- 30 ETOWAH, ST. CLAIR
Bobby M. Junkins 254 College St., Gadsden 35999
- 31 COOSA, ELMORE
Jack B. Venable P.O. Box 736, Tallassee 36078
- 32 TALLADEGA
Clarence E. Haynes P.O. Box 1041, Talladega 35160

- 33 TALLADEGA
Ronald G. Johnson Route 5, Box 17, Sylacauga 35150
- 34 CALHOUN
Gerald Willis Route 2, Box 286, Piedmont 36272
- 35 CALHOUN
Bobby C. Crow Route 10, Box 842, Anniston 36201
- 36 CALHOUN
James M. Campbell P.O. Box 2003, Anniston 36202
- 37 CHAMBERS, RANDOLPH, CLAY
Richard Laird 1507 Bonner, Roanoke 36274
- 38 CHAMBERS
Bill Fuller 118 South LaFayette St., LaFayette 36862
- 39 CHEROKEE, CLEBURNE, DeKALB
Richard J. Lindsey Route 2, Box 394, Centre 35960
- 40 BIBB, SHELBY
Al Knight 2421 Brook Run, Birmingham 35244
- 41 SHELBY
Michael E. Hill 301 Pitts Drive, Columbiana 35051
- 42 ST. CLAIR
A. J. Blake Route 1, Box 2109, Pell City 35125
- 43 JEFFERSON
Jack Biddle, III 2256 Pinehurst Drive, Gardendale 35071
- 44 JEFFERSON
Arthur Payne 2825 2nd Street, N.W., Birmingham 35215
- 45 JEFFERSON
Billy Gray 9229 Todd Dr., Suite 105, Birmingham 35206
- 46 JEFFERSON
William M. Slaughter 800 1st Nat'l. Southern Natural Bldg.
Birmingham 35203
- 47 JEFFERSON
George G. Seibels, Jr. 4016 10th Ave. S., Birmingham 35222
- 48 JEFFERSON
Greg Beers 1504 Verdure Circle, Birmingham 35226
- 49 JEFFERSON
Tony Petelos 1440 42nd Street W., Birmingham 35208
- 50 JEFFERSON
Johnny L. Curry 3264 Fieldale Drive, Hueytown 35023
- 51 JEFFERSON
Jim Wright P.O. Box 279, Adamsville 35005
- 52 JEFFERSON
John W. Rogers, Jr., 1424 18th St., S.W., Birmingham 35211
- 53 JEFFERSON
Demetrius C. Newton P.O. Box 2525, Birmingham 35202

- 54 JEFFERSON
George Perdue P.O. Box 2473, Birmingham 35201
- 55 JEFFERSON
Gary White 414 Yorkshire Dr., Homewood 35209
- 56 JEFFERSON
Bobbie G. McDowell 2322 Dartmouth Ave., Bessemer 35020
- 57 JEFFERSON
E. B. McClain 3826 Troy Terrace, Brighton 35020
- 58 JEFFERSON
Patricia Davis 9312 Sears Drive, Birmingham 35206
- 59 JEFFERSON
Lewis G. Spratt 3809 4th St., W., Birmingham 35207
- 60 JEFFERSON
Sundra E. Escott P.O. Box 8343, Birmingham 35218
- 61 TUSCALOOSA
Bryant Melton 5003 4th Avenue, Tuscaloosa 35405
- 62 TUSCALOOSA
Phil Poole P.O. Box 609, Moundville 35474
- 63 TUSCALOOSA
Roy W. Johnson, Jr. 4501 20th Street, NE, Tuscaloosa 35404
- 64 CONECUH, MONROE
J. E. (Jimmy) Warren P.O. Box 207, Castleberry 36432
- 65 CLARKE, WASHINGTON
Michael M. Breedlove 119 Dogwood Dr., Jackson 36545
- 66 CHOCTAW, CLARKE, MARENGO
Harrell Blakeney 1101 Old Hwy. 5 So., Thomasville 36784
- 67 CHOCTAW, GREENE, SUMTER
Lucius Black, Sr. P.O. Box 284, York 36925
- 68 DALLAS, PERRY, HALE
Jenkins Bryant, Jr. Route 1, Box 482, Newbern 36765
- 69 DALLAS, LOWNDES, WILCOX
James L. Thomas 2713 Hwy. 14E, Selma 36701
- 70 DALLAS
W. F. (Noopie) Cosby, Jr. P.O. Box 683, Selma 36702
- 71 AUTAUGA, CHILTON
E. A. Grouby, Jr. P.O. Box 188, Prattville 36067
- 72 BIBB, CHILTON
Lewis W. Headley P.O. Box 1610, Clanton 35045
- 73 MONTGOMERY
Perry O. Hooper, Jr. 503 S. Court St., Suite 320
Montgomery 36111
- 74 MONTGOMERY
Bob McKee P.O. Box 424, Montgomery 36101

- 75 MONTGOMERY
Claud Walker P.O. Box M, Montgomery 36105
- 76 ELMORE, MONTGOMERY
Mike Mikell 3920 Chapman Rd., Millbrook 36054
- 77 MONTGOMERY
John Buskey P.O. Box 6216, Montgomery 36106
- 78 MONTGOMERY
Alvin Holmes P.O. Box 6064, Montgomery 36106
- 79 LEE
Pete Turnham Box 1592, Auburn 36830
- 80 LEE
G. J. Higginbotham P.O. Box 2545, Opelika 36803
- 81 TALLAPOOSA
Lester White 739 Freeman St., Dadeville 36853
- 82 BULLOCK, MACON
Thomas Reed P.O. Drawer EE, Tuskegee Institute 36088
- 83 RUSSELL
Charles Adams P.O. Box 967, Phenix City 36867
- 84 BARBOUR, RUSSELL
James S. Clark P.O. Box 71, Eufaula 36027
- 85 HENRY, HOUSTON
John P. Beasley P.O. Drawer M, Columbia 36319
- 86 HOUSTON
Joe R. Carothers, Jr. Route 8, Box 33, Dothan 36301
- 87 GENEVA, HOUSTON
Nathan Mathis Route 1, Newton 36352
- 88 DALE
R. Nolan Williams Troy State University at Dothan
P.O. Box 6947, Dothan 36302
- 89 PIKE, DALE
Steve Flowers P.O. Box 973, Troy 36081
- 90 BUTLER, CRENSHAW
Dwight Faulk Route 2, Box 90, Honoraville 36042
- 91 COFFEE
Jimmy W. Holley Route 2, Box 254E, Elba 36323
- 92 COVINGTON
Seth Hammett P.O. Box 1607, Andalusia 36420
- 93 ESCAMBIA
Frank P. (Skippy) White Rt. 1, Box 427—Pollard
Flomaton 36441
- 94 BALDWIN
Walter E. Penry, Jr. Rt. 2, Box 286, Daphne 36526

- 95 **BALDWIN**
Stephen A. McMillan P.O. Box 337, Bay Minette 36507
- 96 **MOBILE**
Michael E. Box 155 South Warren St., Mobile 36602
- 97 **MOBILE**
Mary S. Zoghby 2862 Hilburn Dr., Mobile 36606
- 98 **MOBILE**
William Clark 711 Atmore Ave., Prichard 36612
- 99 **MOBILE**
James Buskey 2207 Barretts Lane, Mobile 36617
- 100 **MOBILE**
Victor Gaston 864 Parkwood Dr., West, Mobile 36608
- 101 **MOBILE**
Ken Kvalheim 421 Dogwood Dr., Mobile 36609
- 102 **MOBILE**
J. E. Turner P.O. Box 777, Citronelle 36522
- 103 **MOBILE**
Yvonne Kennedy 1205 Glennon Ave., Mobile 36603
- 104 **MOBILE**
Beth Marietta 557 Church St., Mobile 36602
- 105 **MOBILE**
Taylor F. Harper P.O. Box 229, Grand Bay 36541

STANDING COMMITTEES
HOUSE OF REPRESENTATIVES
OF ALABAMA 1988

AGRICULTURE, FORESTRY & NATURAL RESOURCES

Richardson, Chairperson; Faulk, Vice Chairperson; Blakeney, Breedlove, Bryant, Hamilton, Lindsey, Logan, Mathis, Moon, Penry, Rains, Warren, White (F), Willis.

BANKING

Zoghby, Chairperson; Harvey, Vice Chairperson; Beasley, Breedlove, Cosby, Escott, Ford, Hammett, Headley, Hettinger, Hill, Logan, Marietta, Mikell, Petelos.

BUSINESS & LABOR

Laird, Chairperson; Willis, Vice Chairperson; Fuller, Goodwin, Hogan, Hooper, Layson, McMillan, Melton, Mikell, Payne, Reed, Richardson, Venable, Walker.

COMMERCE & INDUSTRIAL DEVELOPMENT

Adams, Chairperson; Hooper, Vice Chairperson; Box, Brooks, Butler, Carter, Cosby, Curry, Frazier, Holley, Kennedy, Perdue, Poole, Starkey, Warren.

CONSTITUTION & ELECTIONS

Venable, Chairperson; Beers, Vice Chairperson; Bowling, Box, Curry, Dillard, Faulk, Headley, Holley, Holmes, Marks, Mathis, Newton, Parker, Perdue.

EDUCATION

McMillan, Chairperson; Gray, Vice Chairperson; Bugg, Clark (W), Dillard, Grayson, Grouby, Hill, Johnson (RW), Jr., Knight, Penry, Poole, Slaughter, Turnham, Zoghby.

HEALTH

Carothers, Chairperson; Johnson (RG), Vice Chairperson; Beasley, Bidle, Butler, Drake, Faulk, Flowers, Freeman, Hall, Kvalheim, McClain, McDowell, Seibels, White (L).

HIGHWAY SAFETY

Britnell, Chairperson; Melton, Vice Chairperson; Bowling, Burke, Buskey (James), Buskey (John), Carothers, Coburn, Crow, Haynes, Hill, McDowell, Newton, Parker, Spratt.

INSURANCE

White (L), Chairperson; Flowers, Vice Chairperson; Buskey (James), Frazier, Grouby, Hall, Haynes, Laird, Layson, Lindsey, McKee, Seibels, Spratt, Williams, Willis.

JUDICIARY

Higginbotham, Chairperson; Box, Vice Chairperson; Beasley, Blakeney, Campbell, Drake, Hettinger, Johnson (RG), Kvalheim, Laird, Marietta, Marks, Petelos, Slaughter, Thomas.

LOCAL GOVERNMENT

Hettinger, Chairperson; Warren, Vice Chairperson; Davis, Hamilton, Higginbotham, Holley, Junkins, Knight, Parker, Reed, Richardson, Seibels, Thomas, Turner, Wright.

LOCAL LEGISLATION NO. 1

Rains, Chairperson; Moon, Vice Chairperson; Black, Bryant, Carter, Flowers, Fuller, Hamilton, Junkins, Laird, Melton, Starkey, White (F), White (L), Willis.

LOCAL LEGISLATION NO. 2

White (G), Chairperson; McDowell, Vice Chairperson; Beers, Biddle, Curry, Davis, Escott, Gray, McClain, Newton, Payne, Perdue, Petelos, Rogers, Seibels, Slaughter, Spratt, Wright.

LOCAL LEGISLATION NO. 3

Marietta, Chairperson; Clark (W), Vice Chairperson; Box, Buskey (JE), Gaston, Harper, Kennedy, Kvalheim, Turner, Zoghby.

LOCAL LEGISLATION NO. 4
(Madison)

Hall, Chairperson; Freeman, Vice Chairperson; Brooks, Butler, Grayson, Hettinger.

LOCAL LEGISLATION NO. 4
(Montgomery)

McKee, Chairperson; Walker, Vice Chairperson; Buskey (JL), Holmes, Hooper, Mikell.

MILITARY AFFAIRS

Ford, Chairperson; Starkey, Vice Chairperson; Biddle, Blake, Britnell, Bryant, Crow, Grayson, Johnson (RG), Mathis, McDowell, Moon, Newton, Petelos, Slaughter.

OIL & GAS

Marietta, Chairperson; Johnson (RW) Jr., Vice Chairperson; Adams, Breedlove, Butler, Clark (W), Coburn, Hogan, Kvalheim, Logan, Newman, Penry, Rogers, Turner, White (F).

PUBLIC UTILITIES & TRANSPORTATION

Davis, Chairperson; White (G), Vice Chairperson; Buskey (JE), Cosby, Crow, Ford, Gaston, Gray, Hammett, Johnson (RW) Jr., Lindsey, Newman, Rogers, Walker, Zoghby.

PUBLIC WELFARE

Reed, Chairperson; Thomas, Vice Chairperson; Black, Blake, Bowling, Brooks, Bugg, Buskey (JL), Curry, Goodwin, Harvey, Knight, Rains, Turner, Williams.

RULES

Carter, Chairperson; Ford, Vice Chairperson; Beers, Campbell, Carothers, Hall, Hammett, Harvey, Headley, Payne, Reed, Starkey, Venable, Warren, White (F).

SMALL BUSINESS

Walker, Chairperson; Escott, Vice Chairperson; Black, Blakeney, Brooks, Burke, Buskey (JL), Frazier, Goodwin, Gray, Hogan, Holmes, McMillan, Mikell, Poole.

STATE ADMINISTRATION

Gaston, Chairperson; Butler, Vice Chairperson; Biddle, Blake, Britnell, Bugg, Clark (W), Dillard, Faulk, Grouby, Haynes, Hooper, Moon, Newman, Penry.

TOURISM, ENTERTAINMENT & SPORTS

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- Clark, mr. A. B., of Dothan, death mourned—
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- Dixon, mr. Jessie, of Choctaw City, death mourned—
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- Hester, mr. James Walston, of Russellville, death mourned—
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- Johnson, mr. Roy David, of Arab, death mourned—
HJR 12, pages 86, 91, Act no. 88-961
- Richter, mr. Jacob Hubert, of Cullman, death mourned—
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- Allison, reverend W. T., of Hamilton, commended for extraordinary service to the Hamilton church of Christ and the community—
SR 44, page 199
- Baker, mr. Jerry, of Russellville, commended as the first graduate from Alabama's two-year college system—
SR 40, page 103
- Boykin, mr. Jack, of Montrose, commended for outstanding generosity and service to the ethics commission and state of Alabama—
SJR 6, pages 30, 103, 105, 222, Act no. 88-971
- Britnell, mrs. Mamie, of Franklin, commended on the occasion of her 100th birthday—
SR 19, page 68
- Bryan, mr. Donnie, of Russellville, commended for contributions to the drama program at Russellville high school—
SR 17, page 68
- Central Alabama opportunities industrialization center, incorporated, commended on its twentieth anniversary—
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- Clark, mrs. Sara, of Birmingham, commended on her retirement from Cumberland school of law—
SR 41, page 103
- Cobb, mr. Edward E., commended for extraordinary service to Huntsville utilities and the community—
SR 23, page 77
- Fox, ms. Rosemary C., of Mobile, commended as 1988 realtor of the year—
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RESOLUTION, CONGRATULATORY (Continued)

Francis Marion high school rams basketball team, commended as Alabama's state 2A champions—

HJR 19, pages 85, 92, Act no. 88-962

Gibson, mrs. Irene H., of Haleyville, commended as woman of the year of extension homemakers clubs of Winston county—

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Grundy, mrs. Marilyn T., of Huntsville, commended for outstanding service to the children's advocacy center—

SR 9, page 31

Hyatt, ms. Louise, of Russellville, commended as recipient of the outstanding clubwoman award of Alabama federation of women's clubs—

SR 42, page 103

Ireland, dr. D. L. "Dan", of Birmingham, commended on his prestigious election to the presidency of the American council on alcohol problems (ALCAP)—

SJR 43, pages 108, 208, 210, 222, Act no. 88-977

Mangum, police chief Bill, commended for distinguished service to the city and citizens of Cullman—

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Menton, senator William J., of Irvington, commended for his distinguished service in the Alabama state senate—

SR 27, page 78

N.A.S.A. and Marshall space flight center, commended on the successful launch of the shuttle "Discovery"—

SJR 35, pages 93, 111, 198, 222, Act no. 88-976

Parkway Christian fellowship, commended on the dedication of its new family life center—

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Riley, dr. Sancel Martin, jr., of Huntsville, commended for outstanding professional achievement and service—

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Rogersville water department officials and employees, commended for their outstanding achievement—

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Shores, mr. Arthur D., of Birmingham, commended as a prominent Alabama attorney and civil rights leader—

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Sibley, mr. David, of Russellville, commended as outstanding economic development volunteer of the year—

SR 37, page 102

Sides, mayor Jack K., commended for distinguished service to the city of Cullman—

SR 13, page 51

Tracey, mr. Richard A., commended for outstanding contributions to the Huntsville home building industry—

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Williams, dr. Robert H., of Huntsville, commended for outstanding professional achievement and service—
SR 31, page 88

Williams, mr. Paul P., of Heleyville, commended for distinguished professional achievement and service—
SR 38, page 102

Wooten, mr. Calvin, of Anniston, commended for outstanding achievement and contributions on behalf of the blind and visually impaired—
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Act no. 88-560, Franklin county water coordinating and fire prevention authority revenue, legislative intent expressed—
SJR 3, pages 19, 79, 90, 222, Act no. 88-969

Act no. 88-620, creation of fire districts in Elmore county, revenue from, legislative intent expressed—
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